

ANTI-SALOON LEAGUE YEAR BOOK 1922

ERNEST H. CHERRINGTON



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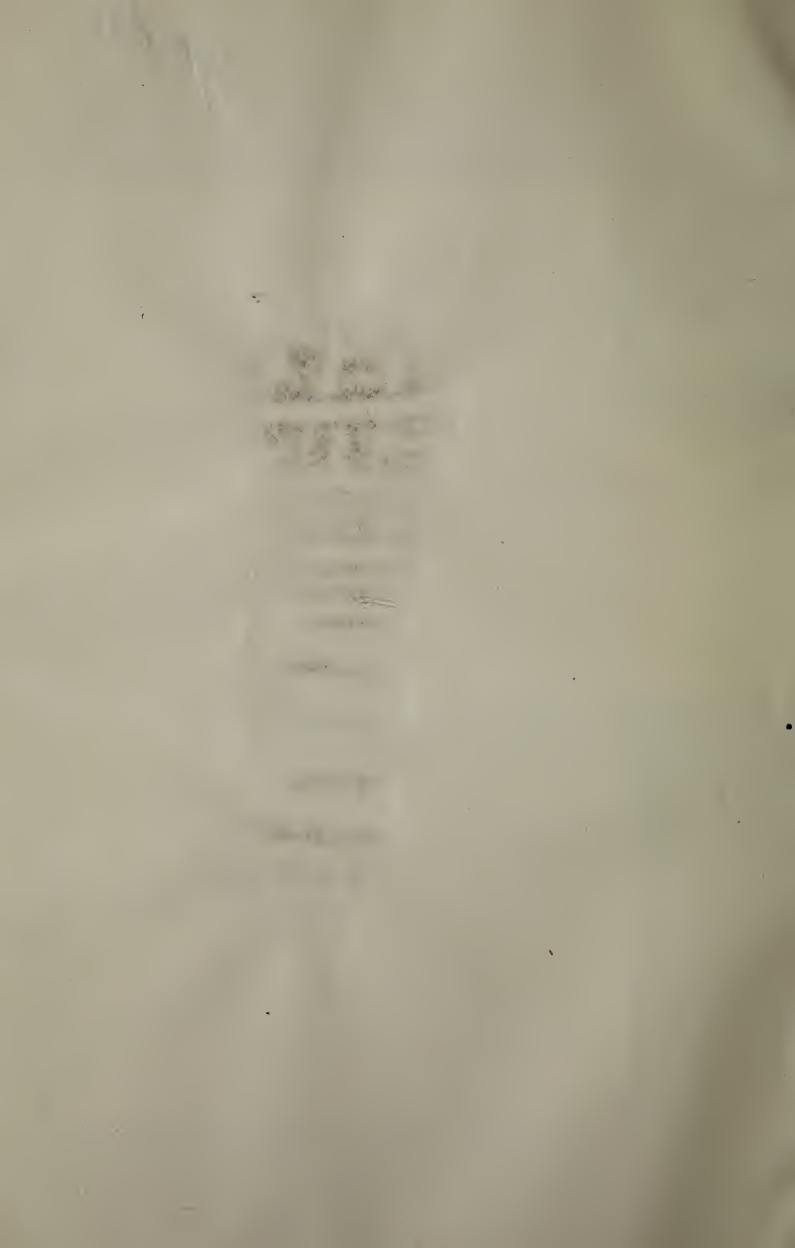


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We are sorry to have been delayed in sending you this Year Book of the Anti-Saloon League but several conditions combined to prevent its earlier publication.

This book is sent to you with the compliments of The Anti-Saloon League of America and as an appreciation of the payment of a year's subscription in advance. You will find in this volume much valuable data and information regarding the development and progress of prohibition in America and throughout the world. We hope you will find it useful.

THE ANTI-SALOON LEAGUE OF AMERICA.



The
Anti-Saloon League
Year Book

1922

**An Encyclopedia of Facts and Figures Dealing With the
Liquor Traffic and the Temperance Reform**

Compiled and Edited by
ERNEST HURST CHERRINGTON, LL. D., Litt. D.
Editor of *The American Issue*

This book has been adopted by the National Executive Committee of
the Anti-Saloon League of America
and is the Official Anti-Saloon League Year Book

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CALENDAR

1922

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1923

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How National Constitutional Prohibition was Secured.

Enemies of Prohibition, anxious to justify in some degree their present hostility to the Prohibition movement and the national prohibitory law, have insisted that Prohibition was "put over" in the United States. Such a suggestion should be measured by the facts in the case.

Before national constitutional Prohibition became operative in the United States, 90 per cent of all the townships and rural precincts of the nation were under Prohibition by virtue of local and state provisions. Moreover, 75 per cent of all the villages and 85 per cent of all the counties in the United States of America had been made Prohibition territory, largely by state laws. A majority of the people in two-thirds of the Congressional districts of the several states were living under Prohibition, and two-thirds of the United States Senate represented prohibition states, thirty-two of the forty-eight states being under state-wide prohibitory laws. In fact, 70 per cent of the entire population of the nation was living under prohibition by local, state and federal enactments, and more than 95 per cent of the entire area of the nation was legally prohibition territory.

As to Prohibition being "put over" either in the submission by Congress or in the ratification of the Eighteenth Amendment by state legislatures, the facts speak for themselves.

THE SEVEN-YEAR HANDICAP

In the first place, submission of the Eighteenth Amendment to the Federal Constitution carried with it a handicap which had never before been attached to any amendment ever submitted to the people—a handicap providing that unless ratified in seven years the proposed amendment should become null and void. The Congress of the United States never before placed such a limitation on any proposed amendment to the Federal Constitution. This limitation was regarded by the liquor interests as being a joker that would eventually defeat the proposed amendment, while the Senators who advocated such a limitation claimed that their object was to secure the elimination of the question from national and state politics. It is safe to say that no class were more thoroughly surprised than the liquor interests them-

selves when the Eighteenth Amendment to the Constitution was ratified by the required number of state legislatures in slightly more than one year after it had been submitted by Congress.

THE PROHIBITION AMENDMENT THE FIRST TO BE SUBMITTED BY A SENATE ELECTED DIRECTLY BY THE PEOPLE

No previous amendment to the Federal Constitution had ever been submitted in a manner that so nearly represented direct action of the voters of the nation, as did the Eighteenth Amendment, since that amendment was the first to be submitted by action of a United States Senate elected directly by the votes of the people, instead of by state legislatures. Prior to the submission of the Eighteenth Amendment, every proposed amendment to the Federal Constitution had been submitted by the vote of United States Senators directly responsible to the state legislatures, which in many cases were dominated by the strong representations in the legislatures from the great cities of a large number of important states. In the case of the Prohibition amendment, however, the United States Senate for the first time was responsible directly to the voters of the nation who had taken charge of the election of United States Senators under the provisions of the Seventeenth Amendment to the Constitution.

The amending of the Federal Constitution is not an easy procedure. It is something more than a sleight of hand performance, such as the organized forces against prohibition are now endeavoring to fool the public into believing.

NECESSARY PROCESS FOR AMENDING THE CONSTITUTION

Only ten times during the life of the American Republic has the Constitution of the United States been changed. The first ten amendments were added at one time as the Bill of Rights, which became a part of the Constitution in 1791. During the entire 132 years since that time, although hundreds of amendments have been proposed and many have been submitted by Congress, only nine have been adopted.

Every one of the nineteen amendments to the Federal Constitution has been submitted and adopted by exactly the same process, namely, the submission of the proposed amendment by a vote of two-thirds of each of the two branches of Congress,

and ratification by favorable action of each of the two houses of the legislature in three-fourths of the states.

The very process which of necessity must be followed in every case precludes the possibility of any change in the fundamental charter except by clear, full and free expression of the people. This process, moreover, has always seemed to be a proper process for the amending of the fundamental law, up to the time when it was used as a natural procedure in connection with the Eighteenth Amendment. Although the resolution submitting that amendment was passed in the national House of Representatives by a vote of 282 to 128 and in the United States Senate by a vote of 65 to 20, and although the proposed amendment was submitted in exactly the same way that every other amendment to the Constitution had been submitted, and was acted upon by the states in exactly the same way that every other amendment to the Constitution had been acted upon by the states, the enemies of Prohibition have raised a great hue and cry, insisting that the method of amending the Constitution, in the case of the Eighteenth Amendment, should have been different from that which was followed. Moreover, it is significant that no such protest has arisen from any source on account of the use of the same process in the case of the Nineteenth Amendment.

THE MARGIN OF RATIFICATION BY THE STATES

It is of interest to note the vote on ratification of the Eighteenth Amendment to the Federal Constitution in the several states, and the majority in the legislatures by which the Eighteenth Amendment was incorporated into the fundamental law.

The aggregate vote in the state Houses of Representatives against ratification was 1,025, while the vote for ratification was 3,775. This means a 79 per cent majority for ratification in the lower houses of the states. The aggregate vote in all the state Senates against ratification was 240, while the vote for ratification was 1,309. This was an 84 per cent majority for ratification in the Senates of the several states. In other words, the aggregate vote in favor of ratification by all the state legislatures was 5,084 as against 1,265, showing a clear majority of 3,819, or 80 per cent.

It is a significant fact in this connection that the vote for ratification of the Eighteenth Amendment in all the states was a much larger proportionate majority than that which was given

in the original thirteen states in favor of the original constitution. Moreover, with the exception of the Bill of Rights and the Eleventh Amendment, which were in reality largely interpretations of the Constitution, no amendment has received ratification in so large a number of states and so large a proportion of the states, as the Prohibition amendment. There were four states that failed to ratify the twelfth amendment to the Federal Constitution. There were five states that failed to ratify the thirteenth amendment. There were four states that failed to ratify the fourteenth amendment. There were six states that failed to ratify the fifteenth amendment. There were also six states that failed to ratify the sixteenth amendment, while there were twelve states that failed to ratify the seventeenth amendment, and likewise twelve states that failed to ratify the nineteenth amendment. Yet only two of the forty-eight states have failed to ratify the Eighteenth Amendment.

Certainly such a record would seem ordinarily to be a fairly emphatic expression of the will of the people as regards the subject matter of the Eighteenth Amendment to the Federal Constitution. Not so, however, with that amendment. In every other case in the history of the republic, after a constitutional amendment has been duly submitted, ratified and adopted by the necessary two-thirds and three-fourths majorities, a mere majority in Congress has been sufficient to enact laws for the purpose of carrying into effect the provisions of such an amendment. Was that true in the case of the so-called Volstead Law, which was the statute providing for the carrying into effect of the Eighteenth Amendment to the Constitution? Not exactly. Fighting to the last ditch, even after the Volstead Law had been passed by a substantial majority in both houses of Congress, the liquor interests by means of the veto power of the President of the United States set at naught the majority vote of both houses of Congress on this question, and compelled the national House of Representatives and the United States Senate to reenact that enforcement law by a two-thirds majority in both houses.

In short, the securing of National Prohibition required in the first place more than a two-thirds majority of one Congress, an 80 per cent majority of both houses of 46 state legislatures, a two-thirds majority of another Congress for the enacting of an enforcement code, and a two-thirds majority of still a third Congress for the purpose of strengthening the provisions of that enforcement code. Yet the noisy minority against Prohibition

howl about somebody, somewhere, on the Prohibition side of the question, "putting over" National Prohibition.

METHODS OF WARFARE EMPLOYED BY THE LIQUOR INTERESTS

As a matter of fact, the promoters and defenders of the liquor traffic never believed that it was at all possible for the prohibition forces to clear the hurdles, surmount the difficulties, and overcome the handicaps which from time to time these same liquor interests had placed in the way of the progress of Prohibition. These liquor interests, for instance, believed that the great cities and the few wet states which constituted the great liquor strongholds in America were entirely safe and sufficiently entrenched against the tide of prohibition which has been rising in the United States of America for more than four generations.

When the National Prohibition campaign began in dead earnest, about ten years ago, the liquor interests were not unduly disturbed or alarmed, since they knew that so long as they could hold one more than one-third of the United States Senate, National Prohibition would never even be submitted. When they finally came to recognize the fact that nothing could stop submission, they changed their tactics and made their fight to secure incorporation into the resolution of the Seven Year Limitation clause, believing as they did that they surely could hold a majority in at least one house of thirteen state legislatures for a period of seven years. When that hope finally failed, they determined to defeat the purpose of the amendment by keeping the next Congress from passing a real enforcement code. Yet the Volstead Law was finally adopted, even over the veto of the President of the United States. The liquor interests next pinned their hope to the Supreme Court of the United States, only to learn once more from that body in its final decision on the constitutionality of the Eighteenth Amendment and the Volstead Law that the liquor interests of America do not have, and never have had, inherent rights.

Foiled again, these same liquor interests finally secured a ruling from the United States Attorney General which indicated that it was possible to evade the law by selling beer and wine for medicinal purposes, but a third Congress of the United States, by an overwhelming majority vote, stopped that loop hole. These same liquor interests, therefore, have now come to devote themselves to a general effort throughout the length and breadth of the nation, to bring the law into disrepute and to secure its nullification.

EIGHTEENTH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES

1. After one year from the ratification of this article the manufacture, sale or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

2. The Congress and the several states shall have concurrent power to enforce this article by appropriate legislation.

3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several states, as provided by the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

RATIFICATION OF THE EIGHTEENTH AMENDMENT BY THE SEVERAL STATES

STATE	SENATE	HOUSE
(1) Mississippi	Jan. 8, 1918, 28 to 5	Jan. 8, 1918, 93 to 3
(2) Virginia	Jan. 10, 1918, 30 to 8	Jan. 11, 1918, 84 to 13
(3) Kentucky	Jan. 14, 1918, 28 to 6	Jan. 14, 1918, 66 to 10
(4) South Carolina	Jan. 18, 1918, 28 to 6	Jan. 28, 1918, 66 to 29
(5) North Dakota ...	Jan. 25, 1918, 43 to 2	Jan. 25, 1918, 96 to 10
(6) Maryland	Feb. 13, 1918, 18 to 7	Feb. 8, 1918, 58 to 36
(7) Montana	Feb. 19, 1918, 35 to 2	Feb. 18, 1918, 77 to 8
(8) Texas	Feb. 28, 1918, 15 to 7	Mar. 4, 1918, 72 to 30
(9) Delaware	Mar. 18, 1918, 13 to 3	Mar. 14, 1918, 27 to 6
(10) South Dakota ! ..	Mar. 19, 1918, 43 to 0	Mar. 20, 1918, 86 to 0
(11) Massachusetts ...	Apr. 2, 1918, 27 to 12	Mar. 26, 1918, 145 to 91
(12) Arizona	May 23, 1918, 17 to 0	May 24, 1918, 29 to 3
(13) Georgia	June 26, 1918, 34 to 2	June 26, 1918, 129 to 24
(14) Louisiana	Aug. 6, 1918, 21 to 20	Aug. 8, 1918, 69 to 41
(15) Florida	Nov. 27, 1918, 25 to 2	Nov. 27, 1918, 61 to 3
(16) Michigan*	Jan. 2, 1919, 30 to 0	Jan. 2, 1919, 88 to 3
(17) Ohio	Jan. 7, 1919, 20 to 12	Jan. 7, 1919, 85 to 30
(18) Oklahoma	Jan. 7, 1919, 43 to 0	Jan. 7, 1919, 90 to 8
(19) Maine	Jan. 8, 1919, 29 to 0	Jan. 8, 1919, 122 to 20
(20) Idaho	Jan. 8, 1919, 38 to 0	Jan. 7, 1919, 62 to 0
(21) West Virginia ...	Jan. 9, 1919, 27 to 0	Jan. 9, 1919, 78 to 3
(22) Washington† ...	Jan. 13, 1919, 42 to 0	Jan. 13, 1919, 93 to 0
(23) Tennessee	Jan. 9, 1919, 28 to 2	Jan. 13, 1919, 82 to 2
(24) California	Jan. 10, 1919, 24 to 15	Jan. 13, 1919, 48 to 28
(25) Indiana	Jan. 13, 1919, 41 to 6	Jan. 14, 1919, 87 to 11
(26) Illinois	Jan. 8, 1919, 30 to 15	Jan. 14, 1919, 84 to 66
(27) Arkansas	Jan. 14, 1919, 34 to 0	Jan. 13, 1919, 93 to 2
(28) North Carolina ..	Jan. 10, 1919, 49 to 0	Jan. 14, 1919, 93 to 10
(29) Alabama	Jan. 14, 1919, 23 to 11	Jan. 14, 1919, 64 to 34
(30) Kansas!	Jan. 14, 1919, 39 to 0	Jan. 14, 1919, 121 to 0
(31) Oregon	Jan. 15, 1919, 30 to 0	Jan. 14, 1919, 53 to 3
(32) Iowa	Jan. 15, 1919, 42 to 7	Jan. 15, 1919, 86 to 13
(33) Utah!	Jan. 15, 1919, 16 to 0	Jan. 14, 1919, 43 to 0
(34) Colorado	Jan. 15, 1919, 34 to 1	Jan. 15, 1919, 63 to 2
(35) New Hampshire ...	Jan. 15, 1919, 19 to 4	Jan. 15, 1919, 221 to 131
(36) Nebraska	Jan. 13, 1919, 31 to 1	Jan. 16, 1919, 98 to 0
(37) Missouri	Jan. 16, 1919, 22 to 10	Jan. 16, 1919, 104 to 36
(38) Wyoming!	Jan. 16, 1919, 26 to 0	Jan. 16, 1919, 52 to 0
(39) Wisconsin	Jan. 16, 1919, 19 to 11	Jan. 17, 1919, 58 to 35
(40) Minnesota	Jan. 16, 1919, 48 to 11	Jan. 17, 1919, 92 to 36
(41) New Mexico	Jan. 20, 1919, 12 to 4	Jan. 16, 1919, 45 to 1
(42) Nevada	Jan. 21, 1919, 14 to 1	Jan. 20, 1919, 33 to 3
(43) Vermont	Jan. 16, 1919, 26 to 3	Jan. 29, 1919, 155 to 58
(44) New York	Jan. 29, 1919, 27 to 24	Jan. 23, 1919, 81 to 66
(45) Pennsylvania	Feb. 25, 1919, 29 to 16	Feb. 4, 1919, 110 to 93
(46) New Jersey	Mar. 9, 1922, 12 to 4	Mar. 7, 1922, 33 to 24

*Repassed in House to correct error January 23. †Unanimous in both Houses. Total Senate vote—1,309 for, to 240 against—84 per cent dry. Total House vote—3,775 for, to 1,025 against—79 per cent dry.

The Real Issue in America

The situation in regard to Prohibition which we face today is deserving of thoughtful consideration.

No amendment which has ever been added to the Constitution of the United States has ever been repealed or modified. No law which has ever been enacted by Congress to carry into effect the provisions of a Constitutional amendment has ever been changed except to be strengthened, and the prohibitory amendment is not likely to prove an exception to the rule. If the road to legal national constitutional Prohibition was long and dreary for the friends of Prohibition, the road back is just as long and just as dreary for the enemies of Prohibition. Before the enemies of Prohibition could get a real start on repeal or constitutional modification, they must corral the votes of two-thirds of both houses of Congress. So long, therefore, as one more than one-third of either house of Congress stands firm, the Eighteenth Amendment will stand. If, however, the time should ever come when by any means or for any reason two-thirds of each of the two branches of Congress should vote to resubmit the Eighteenth Amendment to the Constitution, even then a mere majority in a single house of each of thirteen state legislatures would block constitutional repeal or modification. The question, therefore, of the repeal of the Eighteenth Amendment, is not likely to be a vital question at least in the life of the present generation. Moreover, all the votes in Congress of all the wet cities and all the wet states of the nation, if they were to be case en bloc would not be sufficient to weaken in any respect the present enforcement code.

The present day question, therefore, is not one which involves the repeal or the weakening of either the Eighteenth Amendment to the Constitution or the federal enforcement law. The real question is the question as to whether the Eighteenth Amendment and the federal prohibitory law are to be nullified by a law-defying, special privilege-demanding class representing a few wet cities and a few wet states whose officials, either by inaction or by overt connivance with outlaws, persist in defying the expressed will of the American people and in trampling underfoot the law, the constitution, and the government.

In other words, the real question involved is the question

as to whether in this so-called free government the minority is to acquiesce in the properly expressed and recorded will of the majority, or whether that minority, in harmony with the attitude of every bureaucracy and autocracy in history, will continue to defy the law, and treat the Constitution of the United States as a scrap of paper, whenever the law or the Constitution does not suit their own particular desires.

This question goes far deeper than the mere question of the enforcement of prohibition. It strikes at the very heart of free government. It joins the issue between liberty under law, on the one hand, and anarchy and tyranny, on the other.

The answer which the American people finally return to this new manifestation of the spirit of the Holy Alliance of 1814, in regard to the enforcement of the Eighteenth Amendment and the federal prohibitory law, must of necessity be the same answer which will be returned to the more vital question as to whether, after an experiment covering a period of almost a century and a half, it is possible for a democracy successfully to function, and as to whether, after all, a democracy has the ability and the necessary vitality to secure obedience to its own mandates and thus perpetuate itself.

THE ATTITUDE OF THE LIQUOR INTERESTS

The present attitude of the liquor interests, in the effort to break down and nullify National Constitutional Prohibition, is not in any sense a new attitude. It is the historic attitude of the interests favorable to intoxicating liquors and the liquor traffic from the very beginning of the temperance movement in America.

When the liquor traffic was under license and regulation in the United States it boldly defied and openly disregarded all regulations and all prohibitions such as those involved in the Sunday closing law and the law against the selling of liquors to minors and drunkards.

When the thousands upon thousands of townships and villages went under local prohibition, these same interests persisted in overriding the law and the public will in such communities, by means of saloons and saloon influences extending out from county seat towns and cities.

Even after more than 2,700 of the 3,200 counties of the United States had been placed in the prohibition column, these same

interests, entrenched in the few remaining wet counties, in the industrial centers and the large cities scattered over the nation, baffled the proper enforcement of prohibition in the counties, by reliance upon the technical provisions of ordinary state laws. When state after state adopted state-wide prohibitory laws, these same interests, under the cloak of interstate commerce, set at naught the laws of the sovereign states. When finally after a thirteen-year struggle before Congress, the Interstate Liquor Shipment Law was enacted and the interstate commerce cloak was stripped from these same interests, they proceeded by other methods and various subterfuges still to defy the sovereign will of the people of the several states. And now that National Constitutional Prohibition has been made a part of the fundamental law of the land, and the representatives of the people in Congress and in the state legislatures have decreed these same interests to be outlaws, they brazenly hoot at the sovereign will of the nation and at the institutions of democracy, defy the law and attempt to nullify the Constitution itself.

Every American citizen today, in the very nature of the case, is lined up either for or against these same interests. Under present conditions in the United States of America, there is, and there can be, no neutral ground. Moreover, membership in the crowd known as the liquor interests includes today not only the man who manufactures and the man who sells intoxicating liquors, but membership includes every one who conspires in any way to break the law of the land.

If the man who bribes a legislator is a criminal, if the man who corrupts jurors and manages to buy personal immunity for himself is an outlaw either convicted or still at large, what is the man who pays a bootlegger to break the law and violate the Constitution of the United States, in respect to the Eighteenth Amendment?

The hoarse cry for license and anarchy, under the guise of so-called personal liberty, is merely the demand of the modern bureaucrat against the institutions of democracy. It represents the attitude of the modern road hog toward others who travel the highway of liberty protected by government. It is the cry of the moral and social savage against the advance of civilization.

Why America Adopted and Must Continue Prohibition

A library of statistics might be presented on the beneficial results of prohibition in America. Great facts stand out like beacon lights in the records of states and cities since 1917 when prohibition by state law spread rapidly through the United States until the coming into effect of war-time prohibition on July 1, 1919, and of constitutional prohibition on January 16, 1920.

Numerous factors, of course, naturally enter into and affect statistical records, yet it is a significant fact that in spite of the tremendous development of the railroad activities in the United States of America there were actually fewer persons killed on or by the railroad operations in 1920 than had been killed by such operations during any year for more than thirty years. Fewer miners of coal were killed during the year 1920, in proportion to the number of miners employed and in proportion to the number of tons of coal mined than in any similar period for a quarter of a century.

The records of 100 largest American cities show that there were fewer suicides during the year 1920 than during any previous year of the twentieth century. The per cent of deaths of children under five years of age for 1918, '19 and '20 was less than for any similar period for a third of a century, and the full death rate in the United States for 1919 and '20 was less than it had been for 35 years.

Fewer deaths from automobile accidents in proportion to the number of automobiles in use have been recorded under prohibition than during any previous similar period. The statistics of crime, pauperism and insanity, show a remarkable falling off under prohibition as compared with similar periods under license and regulation. The ledger of public charity is significantly marked by the passing of the legalized liquor traffic, while improvements in public health, the public peace and the public welfare score heavily on the side of prohibition.

Even more significant is the contrast shown in what might well be termed "a revival of learning in America" under the prohibition regime, as that revival is indicated by the records of

the public schools, the high schools, the technical institutions, the colleges and the universities.

There are, however, more comprehensive, more fundamental and more conclusive facts which tend to show why America was compelled to adopt prohibition, why America must continue prohibition and why return to the reign of the liquor traffic in America is essentially impossible.

This, in a special sense, is an industrial and commercial age. The implications therefore in the transformation which has taken place during the industrial revolution of the past few years deserve thoughtful consideration.

RAILROAD PROHIBITION

A few years ago, comparatively speaking, it was not unusual for newspapers to ascribe railroad wrecks to "drunken engineers." Railroad lines in America have increased in fifty years from 53,000 miles to 264,000 miles. Railroad development of every character has gone forward in America until today twenty billions of dollars are invested and two million men are employed at an annual compensation of three billion dollars. These railroads carry annually more than two thousand million tons of freight and more than one thousand million passengers. Yet with 60,000 railroad locomotives being driven on all lines throughout America, how many wrecks are today charged to drunken engineers, or drunken train dispatchers? American railroads will not employ an engineer who uses intoxicants either on or off duty. This imperative railroad law carries a far greater degree of punishment than any local, state or national prohibitory law. Even the liquor interests in America have long since ceased to defend the personal liberty of railroad engineers to drink intoxicants.

When American railroads modify their rules which have stood for a quarter of a century, so as to permit engineers, train dispatchers, and telegraph operators to use light wine and beer, the American Congress will doubtless be ready seriously to consider the advisability of modifying the federal prohibitory law.

IRON AND STEEL VERSUS ALCOHOLISM

The giant lake freighters, which carry ore from the great Superior ore districts, are unloaded at American lake ports, whence the ore is transported by trains to the numerous smelting furnaces of the United States, which produce more iron and steel

each year than all the rest of the world. Comparatively a few years ago, vessels were unloaded by laborers with shovels and wheel-barrows. The unloading capacity under the old system was a hundred tons a day. Today electric machines unload such vessels at the rate of three thousand tons an hour. Even greater revolutions than this have taken place in the electrical equipment of iron and steel mills.

Under the old system it was possible for an unskilled employee with a brain well soaked* with alcohol, to handle a shovel and a wheel-barrow. The intricate modern unloading equipment, however, cannot be entrusted to habitual users of alcoholic liquors. The same rule applies with even greater force to the vast electrical equipment now operating the iron and steel mills of the nation. When the iron and steel industry of America advocates the letting down of prohibition bars, Congress may heed the suggestion.

DEALCOHOLIZING THE MINING INDUSTRY

During the last ten years modern electrical inventions revolutionized the American coal mining industry. Electrical mining machines with two operators today do the work which a decade ago required twenty miners. Seven hundred and fifty thousand American miners who already are producing more than 40 per cent of all the coal used in all the countries of the world, cannot begin to meet the demands even with the installation of modern equipment. Under the old system a miner with a brain fairly well soaked with alcohol could produce a few tons of coal a day, but the man who operates a modern electric mining machine must be sober.

THE PASSING OF THE "DRUNKEN SAILOR"

During the past nine years the tonnage of American ships clearing American ports increased from 4,793,523 net tons to 30,180,809 net tons—an increase of more than 500 per cent. The modern system of electric devices for the handling of ship cargoes installed on ships and at docks during the last few years has not only eliminated the proverbial "drunken sailor," but has created an imperative requirement for skilled men with clear brains. The old drunken sailor cannot meet the new test. America's part in the international commerce of the future cannot be jeopardized by compromise with the old system under which alcohol played a leading role.

AN INDUSTRIAL REVOLUTION

Perhaps no series of legislative acts have so aroused the manufacturing interests in America to the absolute necessity of Prohibition as the Workmen's Compensation Laws passed during recent years in all but three states of the American union. As a result, millions upon millions have been invested in safety devices for the protection of life, limb and health of the 10,000 American manufacturing employees. Safety to workers and insurance to manufacturing interests preclude the possibility of those interests accepting the hazard which would be inevitable with the return of the beverage liquor traffic.

THE AUTO TRUCK AND THE OLD TEAMSTER

Only a few years ago the vast tonnage of agricultural products and of industrial and commercial enterprises in America was moved on short hauls by wagons with teams and teamsters. Today the great proportion of that tonnage is moved by auto trucks. One large truck will move more tonnage than could be moved under the old system by ten wagons. Under the old system, half-drunken drivers might throw the lines around the dash board and depend upon the dumb animals drawing the load to avoid collision and the ditch. But the intrinsic value of more than a million automobile trucks now operating in America, to say nothing of the value of the tonnage involved, cannot be entrusted to alcoholized truck drivers.

AN AUTOMOBILIZED NATION WITHOUT PROHIBITION

There are in operation in America ten million automobiles. All the rest of the world together employs two million automobiles. America therefore may be said to be the most thoroughly automobilized nation in the world. The great development of the automobile industry has taken place in the last decade, during which same period prohibition by state legislation was rapidly covering the area of the nation. The beverage alcohol system in operation in automobilized America today is unthinkable. What degree of safety, under alcohol, could be vouchsafed to any traveler upon any highway or any pedestrian upon any sidewalk of any town or any city? If America faces such a situation now, what will other countries of the world do in regard

to this important question, as the use of automobiles rapidly increases?

INSURANCE RISKS AND PROHIBITION INSEPARABLE

Perhaps no department of American business has developed so rapidly as life insurance. Insurance estates are rapidly becoming important factors in the financial world. In slightly more than thirty years the amount of life insurance in America has increased from five billion dollars to more than forty-two billion dollars. The number of life insurance policies in existence in the United States in 1890 was 5,202,475. The number in 1900 was 14,395,347. The number in 1910 was 29,998,281, while the number in 1920 was 64,341,000. Investigations of actuaries covering long periods have established a decided difference between the actual costs of risks on the lives of abstainers as against those of non-abstainers. With this remarkable increase in the number and amount of risks carried by the American insurance companies, the greater part of which increase has come during the period of state and national prohibition, even the suggestion of a return to the days of alcoholism is startling. What would happen to millions of insurance risks, to the insurance companies themselves, and to the vast financial interests of America, in which those insurance companies now play so significant a part, were the beverage liquor traffic to be restored, with its attendant results through the use of alcohol, upon millions of policy holders, and its even more far-reaching effect upon mortality statistics that would inevitably result from accidents, disease and crime that would follow like an avalanche in the wake of alcoholism?

AERONAUTICS DEMAND SOBRIETY

The airship is in its infancy, yet the development of the past five years is prophetic of a day not many years ahead when the airship will be one of the most important factors in the life of the world. Leaving out of consideration all government, army and navy airship activities, the fact remains that during the year 1921 more than twelve hundred civilian aeroplanes were operated in America, traveling more than 6,500,000 miles and carrying more than 275,000 passengers. It is not rash to prophesy that the airship in five years' time will work a revolution in industry, commerce, travel, international relations and international law.

What class of employees in connection with the airship, from the pilot to the man in the shop who makes the final examination of minute adjustments before the ship takes the air, can be considered as interested in the repeal of prohibition?

ALCOHOLISM AN IMPOSSIBILITY IN THE NEW AGE

The liquor traffic may have been possible in the agricultural world in the age of the horse-drawn plow and the mule teamster; it is not possible in the age of the tractor, the great wheat-header and the auto truck. The liquor traffic may have been possible in the days when the wood chopper's ax was the only means of felling trees; it is not possible in the age when electrical operations are so essential to the rapidly increasing lumber industry. The liquor traffic may have been possible in the age of the drunken sailor and the drunken engineer and the age when manufacturing concerns were not responsible for the health and safety of employees; it is not possible in the age of the industrial development which has revolutionized railroad operations, the mining industry, the manufacturing interests, international commerce and trade activities, and other great industries and enterprises which figure in economic progress. The liquor traffic may have been possible in the age of the ox-cart, but it is not possible in the age of the automobile. The liquor traffic may have been possible in the age of the stage coach, but it is not possible in the age of the airship. The liquor traffic may have been possible in the age of the water mill, but it is not possible in the age of the electric dynamo.

These significant facts suggest something of the economic cost inevitable to pro-liquor nations which insist upon continuing to harbor the liquor traffic and upon attempting to harmonize its operations with the new age of skilled workmen and the application of brain power and nerve energy to even the simplest processes of industrial activities. If these facts are evident in America, where is the nation, large or small, located anywhere on the face of the earth, which in this age of rapid economic progress and economic competition, can afford to quibble about the problem of alcoholism?

A Cloud of Witnesses

STATEMENT BY PRESIDENT WARREN G. HARDING

While I have everlasting faith in our Republic, it would be folly, indeed, to blind ourselves to our problems at home. Abusing the hospitality of our shores are the advocates of revolution, finding their deluded followers among those who take on the habiliments of an American without knowing an American soul. There is the recrudescence of hyphenated Americanism which we thought to have stamped out when we committed the Nation, life and soul, to the World War.

There is a call to make the alien respect our institutions while he accepts our hospitality. There is need to magnify the American viewpoint to the alien who seeks a citizenship among us. There is need to magnify the national viewpoint to Americans throughout the land. More, there is a demand for every living being in the United States to respect and abide by the laws of the Republic. Let men who are rending the moral fiber of the Republic through easy contempt for the Prohibition law, because they think it restricts their personal liberty, remember that they set the example and breed a contempt for law which will ultimately destroy the Republic.

Constitutional Prohibition has been adopted by the Nation. It is the supreme law of the land. In plain speaking, there are conditions relating to its enforcement which savor of nationwide scandal. It is the most demoralizing factor in our public life.

Most of our people assumed that the adoption of the Eighteenth Amendment meant the elimination of the question from our politics. On the contrary, it has been so intensified as an issue that many voters are disposed to make all political decisions with reference to this single question. It is distracting the public mind and prejudicing the judgment of the electorate.

The day is unlikely to come when the Eighteenth Amendment will be repealed. The fact may as well be recognized and our course adapted accordingly. If the statutory provisions for its enforcement are contrary to deliberate public opinion, which I do not believe, the rigorous and literal enforcement will concentrate public attention on any requisite modification. Such

a course conforms with the law and saves the humiliation of the Government and the humiliation of our people before the world, and challenges the destructive forces engaged in widespread violation, official corruption, and individual demoralization.

The Eighteenth Amendment involves the concurrent authority of State and Federal Governments for the enforcement of the policy it defines. A certain lack of definiteness, through division of responsibility, is thus introduced. In order to bring about a full understanding of duties and responsibilities as thus distributed, I purpose to invite the governors of the States and Territories, at an early opportunity, to a conference with the Federal Executive authority. Out of the full and free considerations which will thus be possible, it is confidently believed, will emerge a more adequate comprehension of the whole problem and definite policies of National and State cooperation in administering the laws.—President Warren G. Harding. (Extract from an address before Congress, December 8, 1922.)

STATEMENT BY CHIEF JUSTICE WILLIAM HOWARD TAFT

What is the present duty of those of us who opposed the adoption of the Eighteenth Amendment to the Federal Constitution forbidding the manufacture, transportation, importation, exportation or sale of intoxicating liquor?

Many of us opposed it, not because we thought that proper personal liberty was denied by legal Prohibition, but first because we doubted whether practically Prohibition would prohibit in large, congested communities where local public opinion did not sympathize with the purpose of the law, and second, because to vest the national government with the needed police power and patronage, normally parochial, would so disturb the proper constitutional balance of central and local powers between the Federal and state governments as to imperil the stability of the Union.

Now the Secretary of State has by proclamation declared the adoption of the amendment by action of Congress and the approval of the requisite number of state legislatures. It is now the duty of every good citizen in the premises, no matter what his previous opinion of the wisdom or expediency of the

amendment, to urge and vote for all reasonable and practical legislative measures by Congress enacted to secure the enforcement of the amendment.

Those who claim that the amendment has not been constitutionally adopted have nothing substantial on which to base their claim. The further argument that the amendment is void because inconsistent with the fundamental constitutional compact as to personal liberty, or reserved power of the states, as, for instance, a change of representation of the states in the Senate would be, is "moonshine."

This is a Democratic government, and the voice of the people, expressed through the machinery provided by the Constitution for its expression and by constitutional majorities, is supreme. Every loyal citizen must obey. This is the fundamental principle of free government. It is this principle which the Bolsheviki are fighting with wholesale assassinations and starvation of their fellow citizens. One who, in the matter of National Prohibition, holds his personal opinion and his claim of personal liberty to be of higher sanction than this overwhelming constitutional expression of the people, is a disciple of practical Bolshevism. Those who oppose passage of practical measures to enforce the amendment, which itself declares the law and gives to Congress the power and duty to enforce it, promote the non-enforcement of this law and the consequent demoralization of all law.—(Extract from an address delivered in January, 1919.)

I am not in favor of amending the Volstead act in respect to the amount of permissible alcohol in beverages. I am not in favor of allowing light wines and beer to be sold under the Eighteenth Amendment. I believe it would defeat the purpose of the amendment. No such distinction as that between wines and beer on the one hand and spirituous liquors on the other is practicable as a police measure. . . . Any such loophole as light wines and beer would make the amendment a laughing stock.—(Statement made to the Chicago Tribune, April, 1922.)—**William Howard Taft, Chief Justice of the Supreme Court of the United States.**

**STATEMENT BY ATTORNEY GENERAL
HARRY M. DAUGHERTY**

Respect for law is the one essential fact of our civilization. Without it life, liberty, and property are insecure. Without it civilization falls back to chaos. If there is one fact history teaches above any other it is that the rights incident to wealth and the rights furnishing the opportunity to enjoy spiritual, intellectual, moral, and social things are conditioned upon the supremacy of law. The Government will endure on the rock of law enforcement or it will perish in the quicksands of lawlessness.—Harry M. Daugherty, Attorney General of the United States. (From an address delivered at Cincinnati, Ohio, August 31, 1921.)

**STATEMENT BY ASSISTANT ATTORNEY GENERAL
GUY D. GOFF**

We may bite our chains as we will, but we shall be made to know that man is born to be governed by law, and he that will substitute will in the place of it is an enemy of God.

To have good government we must have good citizens, and always, continuously, a warfare without truce or quarter against those who violate the law. It is strange but true that bad men are combined and good citizens are divided and that therein lies the cause of lawbreaking. If the good would join hands, the lawless could do nothing.

We must legislate and prosecute and drastically punish, but principally we must educate, and practice what we preach.

It is not for an executive, State or Federal, to say whether a law is good or bad. He should enforce it, or confess failure and resign.

Prohibition is not the only law which is difficult to enforce.

Any new law which interferes with the so-called personal liberty of the community must pass through the stages of open violation, secret violation, passive enforcement, and then universal observance throughout the land.

The man who can not obey the law, the man who can not fearlessly enforce the law, and with the courage of his convictions bring before our judicial tribunals every dastardly and contemptible crook, no matter how high his rank, has no place in our system.

The law stands, proclaiming, "Thou shalt not break," and when that commandment is broken the Nation should bend its efforts to see that atonement is made. The quickest and surest way of setting any law at naught is to relax its enforcement, while the quickest and surest way of instilling respect for the law in the hearts of a people is to vigorously press its enforcement.

Our Government and our Constitution are not to be overthrown by the whims or the depravity of those who speculate in public justice and view it as an article of personal favor. The parasites that fatten on crime and live on human sin shall not be permitted to traffic in our liberties and, vulturelike, sink their gorging beaks into our laws.

To-day all mankind is suspicious, doing nothing, playing safe. America must not and will not yield to this condition. Instead, she must be the positive Nation. She will. And she will, I am sure, be positively good.

We have no room for those who would have us exchange our liberty and freedom for isms and licentious license. Such people, as the Attorney General well says, "should go to a country which gives them their peculiar liberty."

The law must be, and it should be, enforced as it is conceived and written, and always without fear or favor. And I bring the pledge that in so far as it lies within the power of the Department of Justice to execute and enforce the law of the land there will be no backward step, no retreat, in preserving the Constitution and carrying out the mandate of the people. —General Guy D. Goff, Assistant Attorney General of the United States. (From an address delivered at Washington, D. C., December 8, 1921.

OFFICIAL STATEMENT FROM THE JUDICIAL SECTION OF THE AMERICAN BAR ASSOCIATION

The judicial section of the American Bar Association venturing to speak for all the judges, wishes to express this warning to the American people: Reverence for law and enforcement of law depend mainly upon the ideals and customs of those who occupy the vantage ground of life in business and society. The people of the United States, by solemn constitutional and

statutory enactment, have undertaken to suppress the age-long evil of the liquor traffic. When, for the gratification of their appetites, or the promotion of their interests, lawyers, bankers, great merchants and manufacturers, and social leaders, both men and women, disobey and scoff at this law, or any other law, they are aiding the cause of anarchy and promoting mob violence, robbery, and homicide; they are sowing dragon's teeth, and they need not be surprised when they find that no judicial or police authority can save our country or humanity from reaping the harvest.—Official Statement from the Judicial Section of the American Bar Association, August 31, 1921.

STATEMENT BY ANDREW W. MELLON, SECRETARY OF THE TREASURY OF THE UNITED STATES

In regard to your message recently sent through the American Consul, you are informed that Prohibition and the enforcement thereof is not a failure, and the President of the United States has made no such statement. Considering the profound effect on the social and moral life of the American people of Constitutional Prohibition and taking into consideration the organization, extent of territory and the boundaries of the United States, progress has been made in the enforcement of the law. The President and the Treasury Department are naturally concerned with the successful administration of the law, and to this end are desirous of utilizing all facilities possible to accomplish this purpose. With this object in view, it is understood that President Harding contemplates invoking the aid and cooperation of governors of the several states in the enforcement of the law.—Andrew W. Mellon, Secretary of the Treasury of the United States. (Cablegram to the South African Temperance Alliance, Dec. 29, 1922.)

STATEMENT BY MAJOR ROY A. HAYNES, UNITED STATES PROHIBITION COMMISSIONER

We are at the testing time when every citizen must stand up and be counted for or against the Constitution because the question involved in Prohibition enforcement is whether one is for or against the Constitution of the United States.

It is not enough that a man shall obey the law and enjoy

the privileges and blessings secured to him under the law, but it is the duty of the good citizen to constitute himself as far as his abilities permit, a guardian and a defender of the law. He is a short-sighted man who fails to see in the bootlegger of today the spirit of both the anarchist and the bolshevik. . . .

There never was a law enacted by any nation as successfully enforced in its earlier stages as the Prohibition law. If no further progress were to be made, the victory would remain a great one. . . .

The enforcement machinery has made tremendous progress the country over. Today the organization is functioning admirably.—Major Roy A. Haynes, United States Prohibition Commissioner. (From an address delivered at Columbus, Ohio, February 27, 1923.)

UNITED STATES SENATOR FROM OHIO

Prohibition in the United States is a great step forward. Taking the country as a whole, there will be no backward step but a constantly increasing certainty of the enforcement of this policy. I am much interested in seeing the leaders from various parts of the world come together to take council for a greater spread of Prohibition. The United States offers an example; it has no policies to force on any other nation. We shall be glad if they find our policies so good that they will join with us.—Frank B. Willis, United States Senator, representing the State of Ohio.

UNITED STATES SENATOR FROM MONTANA

The United States is now, happily, positively committed, through constitutional provision and federal legislation to the cause of Prohibition and it will never go backward in that respect. It is the greatest domestic achievement of the age.

We, who favored it, are satisfied with it. It is not so well enforced as it should be, but in time it will be better enforced. We shall not relax in enforcement. In a few years, the sentiment of the people will cause it to be as well enforced as are most laws.—H. L. Myers, United States Senator, representing the State of Montana.

UNITED STATES SENATOR FROM MICHIGAN

The United States has adopted a Prohibition constitutional amendment. I am in favor of its strict enforcement. If I felt that a majority of the people of the United States were against this amendment I would be willing to submit another one to them, but under no other conditions would I consent to any action on the part of Congress looking to either a modification or evasion of the law.—Charles E. Townsend, United States Senator, representing the State of Michigan.

UNITED STATES SENATOR FROM WISCONSIN

The Eighteenth Amendment was duly enacted in accordance with the provisions of the Constitution and every man and woman in America is bound by it. Not only is a private citizen bound to obey its terms, but public officials are bound to enforce it. You and I have the right to advocate its repeal, but not the right to violate it as long as it stands.

Neither has a Senator or Congressman any right to vote for any legislation in conflict with its terms. Upon entering into their office each one took a solemn oath to support the Constitution and if he votes for any bill that permits the manufacture and sale of intoxicating liquor as a beverage he violates his oath of office.

I feel very strongly on this subject, not so much from a standpoint of a wet or dry question but from the standpoint of the future of the country, the security of life and property and the progress of our people.

It is our duty as citizens to make this country to an ever increasing degree "a government by the people, of the people and for the people." This does not mean a government by all the people for some of the people, but for all of the people.—Irvine L. Lenroot, United States Senator, representing the State of Wisconsin.

UNITED STATES SENATOR FROM WEST VIRGINIA.

I think Prohibition in the larger sense has been a national benefit, and an advanced step in moral and economic progress. Prohibition is still on trial, but in justice to it every chance to prove its success in connection with the laws enforcing it should

be applied as strictly as is compatible with justice to the individual.—**Davis Elkins, United States Senator, Representing the State of West Virginia.**

UNITED STATES SENATOR FROM TEXAS

The enforcement of the Prohibition laws throughout the United States may be said to be from ninety to ninety-five per cent efficient. Violations are confined largely to certain centers where some elements of the population have not yet become reconciled to the permanent advent of Prohibition.

These violations are placed upon the front pages of metropolitan dailies and are given prominence out of all proportion to their real significance. The liquors sold by bootleggers and the products of illicit stills are infinitely small in volume when compared to the hundreds of millions of gallons that poured in destructive torrents across the land when the traffic was legally recognized.

From every quarter come reports of larger savings in the banks, prompter payment of legitimate debts, more and better provision of necessities and comforts for the mothers and children of America.

Long live Prohibition! Its benefits will become more evident as the years separate us from that era of the nation's shame when misery, poverty and ruin were the sad harvest of a traffic in one of the deadliest poisons known to man.—**Morris Sheppard, United States Senator, Representing the State of Texas.**

UNITED STATES SENATOR FROM TENNESSEE

National Prohibition has come to stay. No amendment to our Constitution has ever been repealed, and the sentiment in favor of Prohibition and the strict enforcement of the Prohibition laws is greater in the country than ever before. The ill effects of prohibitory liquor laws so freely prophesied by opponents of Prohibition have not come true. Of course there are violations of the law, but there are also violations of the law against murder. It is no argument against a law that it is violated. If we repeal all laws that are violated, we will virtually repeal all law.

However, in my judgment the Prohibition laws are being more strictly enforced all the time, as the public sentiment in favor of Prohibition grows, and this sentiment is growing all the time. As time goes on, it will be necessary to amend the enforcement laws so as to obtain better results. In my judgment, the overwhelming sentiment of the people of the United States is that Prohibition is a success, and I am quite sure we will never return to either the open or the secret saloon.—**Kenneth McKellar, United States Senator, Representing the State of Tennessee.**

UNITED STATES SENATOR FROM VIRGINIA

My own State of Virginia already had Prohibition when the amendment was adopted and I am quite sure very few of its citizens would be willing to return to the old order. It stands to reason that a sober nation is both better and more efficient than a tipsy nation; therefore I am unable to explain the state of mind of any person who thinks it is better to imbibe than to avoid intoxicating liquors.—**Carter Glass, United States Senator, Representing the State of Virginia.**

UNITED STATES SENATOR FROM WASHINGTON

Those who fought Prohibition magnified the evil results that might come from evading the law, in the hope that it might be so discredited as to be repealed. They would better accept the inevitable. The law will stand and be strengthened rather than weakened. Individuals who attempt to evade it will suffer, but as the years go by the benefits of Prohibition will be more and more apparent. These benefits will not appear in large dividends but in better living, purer lives and happier homes, in better clad, better fed and better housed wives, mothers and children, in better men, better women and better citizens.

This law should be fairly and impartially enforced. This will be easier as time goes on and in a few years our people will wonder why Prohibition was so long delayed. The public sentiment for Prohibition will grow with the years. This has been true in the past in those states and localities where they have had Prohibition and it will be true throughout the nation. Prohibition carried in the State of Washington by about 150,000.

It would carry today by about 250,000. As it has been there so it will be all over the country.—**Wesley L. Jones, United States Senator, Representing the State of Washington.**

UNITED STATES SENATOR FROM KANSAS

No fair-minded man can fail to recognize or appreciate the fact that National Prohibition has demonstrated its entire practicability and success. Concrete evidence of it is present on every hand—in the thriving business concerns—stores and offices—now occupying buildings which formerly housed saloons; useful manufacturing plants which have sprung from breweries and distilleries; in the thousands of happy homes once saddened by drink; in the decrease of drunkenness and crime bred by drunkenness.

There are violations of the law, of course, but no more than could be expected of any other statute as far reaching in its scope. With vigorous efforts to enforce the law during its first years, the situation will continue to show improvement until within a very few years the enforcement of the statute will cease to be a problem at all. Prohibition will be accepted as a matter of course. That was the history of Prohibition in Kansas, where we banished the saloon forty years ago. Sentiment for Prohibition increased with the years.

I have watched the national situation closely and am convinced that sentiment for Prohibition is stronger today than it was on the day the Eighteenth Amendment was ratified, and that if the people were asked to vote on the question again the tremendous majority which brought National Prohibition would be exceeded. I can see nothing in the outlook which holds encouragement for the booze interests.—**Arthur Capper, United States Senator, Representing the State of Kansas.**

UNITED STATES SENATOR FROM MAINE

I represent the State of Maine—one of the first states of the Union to adopt Prohibition. And from the earliest days of dry activities in my state until the victorious culmination in a national law, I have always worked for the cause of temperance. I believe in it whole-heartedly and I never lose a chance to advance its interests.

The benefits of National Prohibition I believe are indisputable. The saving of millions of dollars, the improved conditions among our laboring classes, the cleansing effect throughout our social strata of this embargo on alcoholic liquors is marked.

Of course there is always with us the need for strict watch. Eternal vigilance must be maintained; officials must not relax their efforts nor courts condone offences in violation of the law. But I think public sentiment is increasingly in favor of enforcing the National Prohibition statute.—**Bert. M. Fernald, United States Senator, Representing the State of Maine.**

UNITED STATES SENATOR FROM MONTANA

National Prohibition in the United States was a great step forward in the progress of good morals, good living and good government. It was one of the greatest achievements of the world and there will be no step backward. The benefits I believe will be incalculable. They will last for all time and grow as time passes.

The enforcement of the law at present, of course, is imperfect. No such great human revolution could be accomplished and immediately work with perfection. It will take time to educate an intelligent public sentiment into observance and enforcement of the law; to build up effective machinery of the government for enforcement purposes and for the punishment of the guilty. This, however, will all increase as time passes. The law is being enforced now in a fair measure but a few years hence it will be much more effectively enforced.

It took generations of earnest work to bring about National Prohibition and it will take some years of earnest work to enforce it as it should be enforced. In doing that, I believe Congress should be of every possible aid. There is much Congress can do and it should be done immediately.—**H. L. Myers, United States Senator, Representing the State of Montana.**

UNITED STATES SENATOR FROM NORTH DAKOTA

The American people were bent on destroying the saloon and its baneful influences, which has been the curse of American society, rather than the strict Prohibition of the sale of all forms of liquor. Fortunately both the saloon and the sale

of intoxicating liquor are now things of the past and those who have lived in Prohibition states know the financial advantage that comes to the people of those communities and the benefits that are derived from the strict enforcement of Prohibition legislation. I am more particularly interested in the injury to the human race where the parents are the users of alcoholic liquors than I am in any immediate financial benefits to the individual or community, for I know of no influence that has done more to undermine the health and morals of men and women, lessen their vitality and produce degeneration among many of their offspring and particularly in the second generation than has the immoderate use of alcoholic spirits by the parents.—E. F. Ladd, United States Senator, Representing the State of North Dakota.

UNITED STATES SENATOR FROM WASHINGTON

Upon a close observation, in many parts of the country, of the effects of National Prohibition, it is perfectly evident that the country has derived enormous benefits from the suppression of the liquor traffic. Of course the law has been evaded and violated in many instances, but notwithstanding these violations, the absence of the open saloon has brought about a very great improvement in the lives of our people. This is so much the case that I do not think a proposition to return to the licensed saloon would receive even substantial consideration anywhere in the country. Great masses of people whose means of support were often squandered in the saloon, the weekly pay-check frequently being cashed there and practically all the proceeds spend before the breadwinner of the family even reached his home—now have better clothing and better food and better opportunities to become worthy American citizens.

That the law should be strictly enforced goes without saying. In this question of enforcement, a new consideration enters in addition to the importance of suppressing the liquor traffic, and that is the question of maintaining in this country, respect for the law and that regard for government enactments that are essential to the maintenance of order. In a free country, such as this, the enforcement of the law is of the utmost importance since the government is based upon law rather than upon privilege or upon the discretion of officials, and if the law

of the presence or absence of food was tested on various kinds of mental and skilled work, such as adding, typewriting, target-pricking.

These, like the preceding experiments (Mellanby's) were desired by the Liquor Control Board as a guide to further regulations of the liquor traffic after the expiration of the war restrictions. The scope and character of the tests were devised in accordance with this object. The results obtained, however, while furnishing the comparisons desired, showed that the effects of the various liquors depended primarily on the quantity of alcohol taken, that while strength of solution and rapidity of absorption varied somewhat the degree of impairment, they did not prevent some loss of efficiency. The summary states that "Alcohol produced some effect in all of the individuals tested by the typing and adding machine methods." In the target-pricking, "after taking 30 c.c. (1 oz.) of alcohol (equivalent to the amount in about $1\frac{1}{2}$ pints of 4 per cent beer) the target-pricking errors increased 12 per cent. After $1\frac{1}{2}$ ounces the errors increased 43 per cent. The impairment here was much greater in proportion than the increase in the dose.

The third report containing experiments by Dr. William McDougall on "The Effects of Alcohol and some other Drugs During Normal and Fatigued Conditions" demonstrated an effect of alcohol of more practical importance than all of the findings on comparative effects. This was evidence brought out by experiments in choice reaction showing that small doses of alcohol weakened restraint, or self-control. A tape containing red and blue circles was passed rapidly before the persons who were required to mark the red circles but not the blue ones. After doses of alcohol ranging from 10 c. c. (the amount in 1-3 of a pint, or one large glass of beer) to 25 c. c. more blue circles were marked, showing loss of power to restrain action.

Judgment was also weakened, as shown by the subjects' belief that he did better work after alcohol than before, while he actually did poorer work.

Accuracy was impaired 21 per cent in a series of experiments with 10 c. c. doses of alcohol, 40 per cent by 15 c. c. and 113 per cent with 25 c. c. doses.

EFFECTS OF LIQUORS OF LOW ALCOHOL PER-CENTAGE

Studies of the comparative effects of beer and whisky, made for the British Central Control Board (Liquor Traffic), were published under the imprint of the Medical Research Committee of the National Health Insurance in 1919 and 1920. The first report issued Feb. 7, 1919, told of a series of experiments by Dr. Edward Mellanby on the absorption of alcohol into the blood under various conditions and strengths of solution. The chief results were (1) The amount of alcohol in the blood, and probably the rate of its accumulation, influences the degree of intoxication; (2) weak alcoholic solutions are less intoxicating than strong ones containing the same amount of alcohol, but the difference in effects between the two classes of solutions is less marked with small doses than with large amounts; (3) food-stuffs, particularly milk, delay absorption, although the delay appears to be due to some other factor than dilution, for the retardation is evident 3 hours after the milk is taken, long past the time when the fluid part would have been absorbed; (4) water taken as long as 2 hours before the alcohol hastens its absorption, and so does a previous alcoholic drink. The same amount of alcohol in a drink taken 2 or 3 hours after a previous one will produce signs of intoxication not manifested after the first drink. (5) After strong solutions, such as whisky, the symptoms come on more rapidly than with stout and other dilute solutions, but the symptoms also subside more rapidly. A drawing test showed very poor drawings after intoxication on whisky but improvement began about an hour and a half after the whisky was taken. The same amount of alcohol in beer was also followed by very poor drawings but no improvement occurred for at least four hours after the beer was taken. The disability caused by beer lasted longer. (6) Alcohol accumulates in the blood rapidly, but leaves the blood very slowly. A single dose may not be entirely eliminated after 18 to 24 hours.

Another series of experiments was on mental and manual work, carried out by Dr. H. M. Vernon, and published by the Medical Research Committee in June, 1919. The effect of different kinds of liquors, of different strengths of solution, and

ALCOHOL A CELL POISON

An important constituent of the cells, especially of the enclosing membrane, is a fatty substance called lipid. Alcohol is one of a class of substances that dissolves lipids. The destruction or breaking up of the lipids of the cells is indicated by the presence in the blood of a fatty material called cholesterol. Experiments were conducted recently by Prof. V. Duceschi, director of the Physiological Laboratory of the University of Pavia, to ascertain whether alcohol produced in the blood the presence of fats indicating the breaking down of the lipids of the cells. He found that these fats increased very markedly in the blood of dogs at the end of two or three days after he began giving them large doses of alcohol. If the alcohol was stopped, the fats began in a few days to disappear from the blood.

A similar study was made of the effects of alcohol on the cells of the human body by the examination of the blood of 66 heavy drinkers, and, for comparison, the blood of 55 abstainers. The abstainers were obtained from a house of detention which strictly prohibits the introduction of any kind of alcoholic liquors.

The drinkers were obtained for the most part in the police stations from those held over Saturday and Sunday on account of drunkenness—a fact to be noted separately in view of the frequent assertion that there is no drunkenness in wine-drinking countries. An additional fact of importance is that the 66 heavy drinkers were a selected lot. All who showed even a suspicion of diseases of the liver, kidneys or bloodvessels, conditions known to affect the amount of fatty matters in the blood, were rejected. The result showed that 51 of the abstainers (76.4%) had either low or normal amounts of the fats in question in their blood while 83 per cent of the drinkers were found to have amounts that were high or above normal.

The conclusion reached was that alcohol causes important changes in material composing the living cell. This brings additional support to the increasing number of medical writers who call alcohol a protoplasmic poison.

Scientific Facts

By Miss Cora Frances Stoddard, B. A.,
Secretary, Scientific Temperance Federation

A NEW EXPLANATION OF ALCOHOLIC FERMENTATION

A third explanation of the process of fermentation is now added to the two somewhat diverse ones previously held. The first of these, advanced by Pasteur, is that alcohol is a product of a chemical change, or breaking up, of sugar in proper solution caused by the yeast plant taking some of the oxygen of the sugar for its own needs, probably for respiration. The disintegration of the sugar, according to this explanation, is followed by a rearrangement of its elements into the two new substances, carbon dioxide and alcohol.

The second explanation is that the yeast plant feeds on the sugar, absorbing it for nourishment and excreting carbon dioxide and alcohol as waste products. This theory has not accorded with the results of experiments which have shown that if yeast cells are pulverized, destroying the life of the cells, and their fluid pressed out, this fluid will cause alcoholic fermentation.

The third explanation now offered is the result of experiment in which a fatty substance similar to that in the outer membrane of the yeast cell was used to coat particles of fibrin, creating thus an imitation of the yeast cell, with an inner composition of lifeless matter instead of living protoplasm. When this artificial yeast was placed in a fermentable sugar solution, alcoholic fermentation took place and carbon dioxide and alcohol were formed. The conclusion drawn from this experiment is that fermentation is a decomposition process taking place at the surface of yeast cells, at the colloidal (jelly like) surface of yeast juice, and at the surface of artificial cells coated with fatty substances resembling those in the outer membrane of yeast cells.

In substance, this explanation is not so much a contradiction as an advance upon Pasteur's view that the change occurring in sugar during fermentation is essentially a chemical change or cleavage.

officially contained therein. Particularly should it be avoided when the results of granting the privilege to foreign ships would be to produce manifestly unfair conditions of competition for our own citizens and shipping interests. . . . The court carefully considered this whole question in connection with the Walker and Anchor Line cases and went so far as to hold that the Eighteenth Amendment and the National Prohibition Act repealed a prior existing treaty with Great Britain.

"Prior to the sweeping and comprehensive construction placed upon the prohibition law in those cases, (Grogan v. Walker, Anchor Line v. Aldridge) it might possibly have been arguable whether liquors forming a part of the ship stores on vessels within territorial waters might be regarded as an implied exception to the National Prohibition Act. Whatever doubts of that may have previously existed have been swept away by the language of the majority opinion in those cases."

extensive therewith." See Thirteenth Amendment to the Constitution of the United States, Civil Rights Cases, 109 U. S. 320; Art. III, Sec. 3, Cl. 1 of United States Constitution, United States v. Greathouse, 4 Sawyer, 457.

"The Shipping Board has frequently sought to punish offenses committed against its property on the high seas by maintaining the applicability of general criminal statutes such as Sec. 37 and Sec. 35 of the Penal Code of the United States, to crimes committed on the high seas (See United States v. Hawkins, So. District of N. Y., also United States v. Bowman, et al., now pending in the Supreme Court of the United States, Rocket No. 69). It would be inconsistent for American vessels to enjoy the protection of laws of general jurisdiction and fail to be governed by the prohibitions of one of similar jurisdiction."

"In the case of United States v. 254 Bottles of Intoxicating Liquors, Southern District of Texas, May 4, 1922, the court announces that 'the sole question for decision is, had the master the right to possession of the goods on board ship (of United States) on the high seas and was this possession in violation of the National Prohibition Act?' And then holds that such possession was a violation of the law," for which the stores were forfeited and the owner liable to punishment."

THE PROHIBITIONS OF THE EIGHTEENTH AMENDMENT AND NATIONAL PROHIBITION ACT APPLY TO FOREIGN VESSELS WITHIN THREE-MILE LIMIT OF UNITED STATES.

In response to the second question the Attorney General said:

"I am forced to the opinion, under the ruling of the Walker and Anchor Line decisions (U. S. Su. Ct., May 15, 1922) that foreign ships carrying intoxicating beverage liquors as ship stores or otherwise within the three-mile limit of our shores are violating the provisions of the National Prohibition Act, prohibiting possession or transportation of intoxicating liquor for beverage purposes. The Supreme Court therein has held that it is not material that the liquors may not be intended for beverage uses within the United States, because the court emphasized that the Eighteenth Amendment marks a revolution in our former national policy toward intoxicating liquor and does not confine its prohibition in any meticulous way within the United States, but on the contrary its intent was as far as possible to 'stop the whole business.'"

In support of this part of the opinion the following points are made:

"It is a long established principle of municipal and international law that a nation has the right to make and enforce laws covering its territorial waters as well as its land. In United States v. Diekelman, 92 U. S. 520, 525, Mr. Chief Justice Waite states: 'The merchant vessels of one country visiting the ports of another for the purpose of trade subject themselves to the laws which govern the port they visit, so long as they remain.'" (See also Moore's International Law Digest, Vol. II, 275 et seq.) Mr. Bayard, Secretary of State, to French Minister, 1885; Wildenhaus Case, 120 U. S. 11, 12.

"That the innocence of any intent to 'put them down' or use them in the United States is not material in determining whether the transportation is a violation of the law is determined by the Walker and Anchor Line cases (supra) where the court decided that intoxicating liquor stored on one British ship could not lawfully be removed to another British ship in the New York harbor, although it was admittedly destined for beverage uses outside the United States. Furthermore, the National Prohibition Act prohibits possession as well as transportation of intoxicants for beverage purposes, irrespective of where they are to be put to such beverage use. Under the reasoning of the court in the Walker and Anchor Line cases (supra), it is no argument for the legality of foreign ships possessing and transporting intoxicating liquors in and across our waters, that they do not intend to use the liquors until after leaving the jurisdiction of the United States. Are we then to argue that such inflexible provisions of law, declared by our Supreme Court as the Constitutional policy of our country shall apply to our own citizens, but be abandoned when we deal with ships of a foreign nation? To do so would be a grievous surrender of our sovereignty. And it is outside the province of an executive or administrative officer of the government to read into the law and the Constitution an exception not spe-

STATES EVERYWHERE.

"I believe from the study of the history of conditions out of which the Eighteenth Amendment grew it is equally clear that the words 'territory subject to the jurisdiction of the United States' carry the intent to extend its provisions over every spot where the flag of America flies. I am of the opinion that under the rules of fair intendment, American ships wherever they may be are included in the terms of the Eighteenth Amendment, 'territory subject to the jurisdiction of the United States,' so that manufacture, transportation or sale of intoxicating liquors for beverage purposes is prohibited thereon."

"The reasons given as sustaining this view may be epitomized as follows: 'The mischief to be prevented in Prohibition enactments has been construed as the use of intoxicating liquor as a beverage (See *Crane v. Campbell*, 245 U. S. 304). A glance at contemporary history and the conditions of affairs out of which the adoption of the Eighteenth Amendment arose compel admission that it represents the culmination of fifty years' struggle of the American people to effectively settle the problems arising from the use of intoxicating liquor as a beverage. . . . To hold that the intent of Congress in proposing the wording of the Amendment, and of the states in ratifying it, was anything less than to extend its inhibitions where the judicial arm of this government extended for any purposes, is to fail to apply all the rules the Supreme Court has laid down for arriving at the intent of Constitutional enactments.'" *National Prohibition Cases*, 350 U. S. 350; *Crane v. Missouri*, 4 Pet. 410, 431; *McCulloch v. Maryland*, 4 Wheat. 316; *Kendall v. United States*, 12 Pet. 524; *Maxwell v. Dow*, 176 U. S. 581. "Our diplomatic correspondence and the opinions of the courts have uni-

ourly considered that inssofar as the restraining and protecting jurisdiction of our government is concerned, American ships whether owned by the government or by private citizens or corporations are in many respects territory of the United States." For purposes of civil and criminal jurisdiction; the *Scotia*, 14 Wall. 170, 184; *U. S. v. Rodgers*, 150 U. S. 249; *Crapo v. Kelly*, 16 Wall. 610; *Lindstrom v. International Navigation Company*, 117 Fed. 170; *Mr. Blair*, Secretary of State, to *Mr. Ryan*, Minister to Mexico, Nov. 27, 1889, (*Moore's Int. Law Digest*, Vol. I, p. 931; *Mr. Webster*, Secretary of State, to *Lord Ashburton*, August, 1842; *St. Clair v. United States*, 154 U. S. 134, 152; *United States v. Smiley*, 6 Sawyer, 640, 645; *Wilson v. McNamee*, 102 U. S. 572; *Manchester v. Mass.*, 139 U. S. 240; for purposes of taxation, *People v. Com. of Taxation*, 58 N. Y. 242; *Olsen v. San Francisco*, 83 Pac. 850; *Piloteage Laws*; *Wilson v. McNamee*, 102 U. S. 572, 574; *Laws concerning assignment*, *Crane v. Kelly*, 16 Wall. 610; *Manchester v. Mass.*, 139 U. S. 240; *Old Dominion Steamship Company v. Gilmore*, 206 U. S. 402, 403; for purposes of extradition; *Moore on Extradition*, Vol. I, page 135, section 104; *Vogt* 14 Op. Att. Gen., 281; *Wharton's State Trials*, pages 392, 403, 404; *Seale's Cases on Conflict of Laws*, section 22, page 506.

"It is urged that Acts passed under Art. I, Sec. 9, Clause 10, of the Constitution, all carry the express provision that they shall apply on the high seas, whereas the National Prohibition Act does not contain such plain extension. But the difference between the two provisions of the Constitution, by authority of which the laws emanate is material. Art. I, Sec. 8, Clause 10, gives Congress power to define and punish piracies and felonies committed on the high seas, which offenses by their nature had formerly remained solely in the power of the State to handle. Article I of the Constitution prohibited nothing, nor did it define an offense. Of course, therefore, it was necessary for the Act of Congress to define the offense, provide for its punishment and make provision as to its jurisdiction, since all the regulatory power lay in the Congressional enactment, not in the Constitutional provision. The Eighteenth Amendment is quite different. It is really a law itself, as well as a declaration of an organic constitutional principle. From its terms alone flows the real prohibition. Evidently therefore, since by the force of the Amendment, prohibition is carried everywhere within the confines of the sovereignty of the United States, the National Prohibition Act passed to facilitate its enforcement and punish its violation would be co-

Ruling by Attorney General Daugherty

to the District Attorney as a basis for a prosecution of the petitioner for the fraudulent use of the mail. It was contended that the use of these papers, so obtained, as evidence would be a violation of the constitutional rights of the petitioner. The Supreme Court held that the security afforded by the United States Constitution, Fourth Amendment, against unreasonable search and seizures, applies solely to governmental action. It is not involved by the unlawful acts of individuals in which the government has no part. Of the Fifth Amendment it was said:

"The Fifth Amendment, as its terms import, is intended to secure the citizen from compulsory testimony against himself. It protects from extorted confessions, or examinations in court proceedings by compulsory methods."

Two Justices dissented from the views expressed in the majority opinion.

SYNOPSIS OF OPINION OF ATTORNEY GENERAL DAUGH-
ERTY ON APPLICATION OF EIGHTEENTH AMEND-
MENT AND NATIONAL PROHIBITION ACT TO VESSELS
FOREIGN VESSELS WITHIN THE THREE-MILE LIMIT
OF UNITED STATES.

CIRCUMSTANCES WHICH GAVE RISE TO THE OPINION.

On June 23, 1922, the Secretary of the Treasury of the United States wrote the Attorney General enclosing a copy of an opinion written by the General Counsel of the United States Shipping Board holding that the Eighteenth Amendment did not apply to vessels of the United States upon the high seas, stating that in conformity with this opinion intoxicating liquors were being sold on vessels of the United States outside of the territorial waters of the United States.

The Secretary of the Treasury requested a reconsideration of the ruling made by Honorable William L. Friereson, acting Attorney General under the former administration on November 1, 1920, wherein it had been held that the National Prohibition Act applied to vessels of the United States on the high seas.

The further question was asked concerning the application of the Eighteenth Amendment and National Prohibition Act to foreign vessels when within the territorial waters or three-mile limit of the United States in view of the decision of the United States Supreme Court in *Grogan v. Walker* and *Anchor Line v. Aldridge*, May 15, 1922.

QUESTIONS OF LAW INVOLVED

1. Do the Eighteenth Amendment and National Prohibition Act apply to vessels of the United States upon the high seas?

2. Do the Eighteenth Amendment and National Prohibition Act apply to foreign vessels within the territorial waters or three-mile limit of the United States?

PERTINENT PART OF EIGHTEENTH AMENDMENT.

Section 1. "After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited."

achieved in a lawful way, i. e., by an order for the production of its books and papers."

"This case presented a further question which may be summarized as follows: How far may the government use evidence which was originally obtained by an unlawful search but which is returned and subsequently required to be produced by lawful process? The books and papers of the corporation in this case were seized upon a void subpoena. They were ordered returned by the court but before this was done photographs and copies of this material as evidence were made and subsequently a valid subpoena was issued requiring the production of the original papers. Of this the court said:

"It reduces the Fourth Amendment to a form of words. The essence of a provision forbidding the acquisition of evidence in a certain way is that not merely evidence so acquired shall not be used before the court, but that it shall not be used at all." But the court follows this sweeping language with the following limitation:

"Of course this does not mean that the facts thus obtained become sacred and inaccessible. If knowledge of them is gained from an independent source they may be proven like any others, but the knowledge gained by the government's own wrong can not be used by it in the way proposed.

This is important in the prosecution of liquor cases because in instances in which the courts hold that unlawful search has been made and that evidence so obtained cannot be introduced the prosecution of the offender need not fail where the facts can be proven by evidence obtained from sources independent of the unlawful seizure.

The question of how far the limitations of the Fourth and Fifth Amendments are binding upon the States and State officers was raised in the Adams case but the Court declined to pass upon it on the grounds that it was unnecessary to the decision in that case. It was again raised in the Weeks case and definitely decided. There the court held that the limitations of the Fourth Amendment reach only the Federal government and its agencies. It does not reach the States or State officers when not acting under any claim of Federal authority. In the Gould case a private in the United States army was held to be an agent of the Federal government within the meaning of the Fourth Amendment. A very recent case decided by the Supreme Court, that of *Burdau vs. McDowell*, decided June 1, 1921; United States Supreme Court Advance Opinions No. 16, p. 683 involved the question of the scope of the Fourth Amendment. It presented the novel question of the admissibility of evidence of certain papers of an incriminating character which were alleged to have been stolen from the petitioner by persons who were not officers, being wholly unconnected with the government in any way. These persons it was alleged had entered the office of the petitioner, drilled his safe and removed his papers which they turned over,

Kansas City, Missouri arrested the defendant on the charge of the sale of lottery tickets. Other officers went to his home in his absence and without a warrant searched his room and seized certain papers and articles. They later returned to his room with the United States Marshal, to whom they had delivered the seized articles, and made further search for additional evidence. The defendant filed a petition seeking the recovery of the seized articles alleging that they had been unlawfully seized and asserting that it was proposed to use them as evidence against him in the pending trial in violation of his constitutional rights. The court directed the return of some of the papers but permitted the prosecuting attorney to retain certain lottery tickets and memoranda relating thereto which were admitted in evidence. The Supreme Court reversed the ruling of the lower court and held that since the evidence had been obtained through an illegal search and the defendant had made a seasonable application for its return its admission in evidence contravened the constitutional rights of the defendant. Emphasis seems to have been laid upon the time at which the objection was made. In this case a petition for return of the seized articles having been filed while in the Adams case no objection was offered until during the trial. It is difficult to distinguish the Adams case from the Weeks case in principle, for if a constitutional right has been violated and it is made to appear at any time during the trial it would seem that justice would demand recognition of the fact. The Supreme Court seems to have adopted this view in its more recent decisions, for in the case of *Silverthorne Lumber Co., vs. U. S. 251, U. S. 385; 64 L. Ed. 319, 1920* referring to the Adams case, it was said:

"Whether some of these decisions have gone too far, or have given wrong reasons, is unnecessary to inquire."

In the very recent case of *Gouled*, cited above, in response to the sixth question as has been shown, the court practically discarded the rule of the Adams case and it may be regarded as settled that evidence obtained upon an illegal search by any officer of the Federal Government is inadmissible in evidence against one charged with crime even though objection be made for the first time at the moment it is sought to be introduced. This decision has a very important bearing upon the enforcement of the Eighteenth Amendment as officers who are careless in observing the requirements of the law in making such searches and seizures will fail in the criminal prosecution of the offender because of their inability to introduce the evidence necessary to convict and the offender will escape punishment notwithstanding his evident guilt. The Silverthorne case referred to above also involved the question of how far a corporation is protected by the Fourth Amendment, it being contended by the government that a different rule applied to corporations as distinguished from natural persons. The Court said:

"The rights of a corporation against unlawful searches and seizures are to be protected, even if the same result might be

offenses as the facts will justify and may introduce the evidence seized under the search warrant to sustain the several charges, provided the seizure was lawful in its inception; and for the further proposition, that the seizure of outlawed property is independent of the criminal prosecution against the individual. It is not necessary to the validity of a seizure of outlawed liquors that a criminal prosecution be pending against any person in connection therewith.

Sixth:

"If papers of evidential value only be seized under a search warrant, and the party from whose house or office they are taken be indicted,—if he then move before trial for the return of said papers, and said motion is denied,—is the court at trial bound in law to inquire as to the origin of or method of procuring said papers when they are offered in evidence against the party so indicted?"

The court said:

"We think, rather, that it is a rule to be used to secure the ends of justice under the circumstances presented by each case; and where, in the progress of a trial, it becomes probable that there has been an unconstitutional seizure of papers, it is the duty of the trial court to entertain an objection to their admission, or a motion for their exclusion, and to consider and decide the question as then presented, even where a motion to return the papers may have been denied before trial."

The language here used overrules, or at least modifies, what has heretofore been recognized as the rule of law in such cases since the decision of the United States Supreme Court in the case of *Adams vs. New York*, 192 U. S. 585; 48 L. Ed. 576. In that case *Adams* was indicted for a violation of a gambling statute of the state of New York prohibiting the game of policy. The officers under a search warrant raided his office and seized not only the policy slips but also certain private papers unconnected with the charge of gambling for the purpose of identifying the hand writing of the defendant. These papers were introduced in evidence over the objection of the defendant that it constituted a violation of his constitutional rights under the Fourth and Fifth Amendments. No motion appears to have been made in this case for the return of the papers and no objection offered until the time they were in evidence at the trial. The Supreme Court declined to interfere with the ruling of the lower court in admitting the papers in evidence and based its decision upon the rule of law that during the course of a trial the court will not stop to inquire into collateral issues, such as the method by which evidence was obtained. This case was decided in 1904. Since that time there have been several references to it by the court in subsequent cases, in some of which it was attempted to distinguish it from the case then under consideration while in others its soundness is apparently questioned. In the case of *Weeks vs. U. S.*, 232 U. S. 382; 58 L. Ed. 652, decided in 1914, certain police officers of

the result of the Boyd and Weeks cases, supra, they may not be used as a means of gaining access to a man's house or office and papers solely for the purpose of making search to secure evidence they may be resorted to only when a primary right of such search and seizure may be found in the interest which the public or the complainant may have in the property to be seized, or in the right to the possession of it, or when a valid exercise of the police power renders possession of the property by the accused unlawful, and provides that it may be taken."

Third:

"Are papers of no pecuniary value, but possessing evidential value against persons presently suspected and subsequently indicted, when taken under search warrants from the house or office of the person suspected, seized and taken in violation of the Fourth Amendment?"

The Court answered this in the affirmative, saying:

"That the papers involved are of no pecuniary value is of no significance.....The government could desire its possession only to use it as evidence against the defendant, and to search for, and seize it for such purpose was unlawful."

Fourth:

"If such papers, so taken, are admitted in evidence against the person from whose house or office they were taken, such person being then on trial for the crime for which he was accused in the affidavit for warrant,—is such admission in evidence a violation of the Fifth Amendment?"

The court held that the papers having been obtained by an unlawful search to permit them to be used in evidence would be in effect to compel the defendant to give evidence against himself.

Fifth:

"If, in the affidavit for search warrant under Act of June 15, 1917, the party whose premises are to be searched be charged with one crime, and property be taken under the warrant issued thereon, can such property so seized be introduced in evidence against said party when on trial for a different offense?"

The court said:

"It has never been required that a criminal prosecution should be pending against a person in order to justify search for and seizure of his property under a proper warrant."

"We see no reason why property seized under a valid search warrant, when thus lawfully obtained by the government, may not be used in the prosecution of a suspected person for a crime other than that which may have been described in the affidavit as having been committed by him."

This is important in the prosecution of liquor cases because it establishes the principle that though the affidavit upon which the search warrant is issued may allege only one offense, the government is not thereby prevented from prosecuting for as many

ing tools or liquor have been abandoned by the owner does not prevent their seizure, whereas if their seizure was based primarily upon their evidential character against the owner, their seizure would be precluded when there was no owner or the owner was unknown.

This distinction is more clearly seen when the character of the articles seized in the Boyd case is considered. There the papers required to be produced or seized was an invoice of a shipment of goods. This could be desired simply for the purpose of its use as evidence, there being nothing unlawful in the possession of the invoice itself. This principle laid down in the Boyd case has been reaffirmed in one of the most recent decisions of the Supreme Court, that of *Gouled vs. United States*, decided February 28, 1921, United States Supreme Court Advance Opinions No. 10, p. 311.

In this case the defendant, Gouled, was charged along with several others with conspiring to defraud the government in connection with certain government contracts for clothing and equipment. One Cohen, a private in the army attached to the Intelligence Department and an acquaintance of the defendant, Gouled, under direction of his superior officer, pretending to make a friendly call upon the defendant gained admission to his office and in his absence, without a warrant of any character, seized and carried off certain documents belonging to the defendant. These were admitted in evidence at the trial over the objection of the defendant that they were seized and introduced in violation of his rights under the Fourth and Fifth Amendments, certain other papers of an evidential character which were seized under a search warrant were also introduced over the same objection. There were six questions certified to the Supreme Court for its opinion. They were as follows:

First:

"Is the secret taking, without force, from the House or office of one suspected of crime, of a paper belonging to him, of evidential value only, by a representative of any branch or subdivision of the government of the United States, a violation of the Fourth Amendment?"

The Court answered this in the affirmative.—Holding that such methods constituted an unreasonable search within the meaning of the Fourth Amendment.

Second:

"Is the admission of such paper in evidence against the same person, when indicted for crime, a violation of the Fifth Amendment?"

Upon the authority of the Boyd (above quoted) case the law also answered this in the affirmative stating that:

"Although search warrants have thus been used in many cases ever since the adoption of the Constitution, and although their use has been extended from time to time to meet new cases within the old rules, nevertheless it is clear that, at common law and as

action of the Amendment. That is the common law right of officers to arrest without a warrant a person committing an offense in their presence when authorized to do so either by common law or statute, and to seize the evidence or implements of crime. In the Weeks case, 232 U. S. 390; 58 L. Ed. 655, the court said:

"What, then, is the present case? Before answering that inquiry specifically, it may be well by a process of exclusion to state what it is not. It is not an assertion of the right on the part of the government, always recognized under English and American law, to search the person of the accused when legally arrested, to discover and seize the fruits or evidence of crime. This right has been uniformly maintained in many cases. 1 Bishop, Crim. Proc. Sec. 211; Wharton, Crim. Pl. & Pr. 8th ed. Sec. 60; Dillon vs. O'Brien, 16 Cox, C. C. 245; Ir. L. R. 20 C. L. 300; 7 Am. Crim. Rep. 66. . . . Nor is it the case of burglar's tools or other proofs of guilt found upon his person within the control of the accused."

Congress incorporated this common law principle in the National Prohibition Act. Section 26 provides that whenever any officer shall discover any person in the act of transporting liquor in an automobile or other conveyance in violation of law, such officer may arrest the offender and seize the liquor and automobile or other conveyance for disposition as provided by law. It was recognized that in such cases it would be both impossible and unnecessary to obtain a warrant in advance.

The Boyd case is authority for another principle. It establishes the rule of law that a statute which authorizes a search merely for the purpose of obtaining evidence is invalid, while one authorizing a search and seizure of a commodity, possession of which is unlawful, is valid. In this connection it should be remembered that the National Prohibition Act, Section 25, provides that it shall be unlawful to have or possess any liquor or property designed for the manufacture of liquor intended for use in violation of law, or which has been so used, and that no property rights shall exist in any such liquor or property. Since the adoption of the Eighteenth Amendment and the passage of the National Prohibition Act, liquor possessed, sold or used in violation of law is outlawed and comes within that category of articles and things the possession of which is unlawful, expressly excepted by Mr. Justice Bradley in the language above quoted. The seizure of such liquor by the government is not for the purpose of obtaining evidence against the accused, but for the securing or removing of the commodity itself from use as being injurious to the general welfare of its citizens. The use of the seized liquor as evidence is but an incident and not the primary object of such seizure. Just as in the case of counterfeiting tools, the underlying motive in the seizure of such implements is not that the offender may be punished, but that the people as a whole may be protected through the preservation of the government credit. This is illustrated in the case of abandoned property. The mere fact that counterfeited-

the question of whether a wife in the absence of her husband could waive his constitutional rights, said that under the facts in this case there was an implied coercion indicating that no such waiver was intended. The lower court was reversed and the case remanded. The record, brief of the government, and opinion of the Court in this case are very brief. No reference to the statutes authorizing entry and search without a warrant in certain instances was raised and no distinction was made between the home and the store. The Court said:

"This statement shows that the trial court denied the petition of the defendant for a return of his property, seized in the search of his home by government agents without warrant of any kind, in plain violation of the Fourth and Fifth Amendments to the Constitution of the United States, as they have been interpreted and applied by this court."

This case may be said therefore to sustain the principle repeatedly recognized in statutes and court decisions that a search of the home of the citizen without a search warrant is an unreasonable search and a violation of the rights guaranteed by the Fourth Amendment. The scope of the decision cannot be extended beyond this point as the right of Congress to authorize a search without a warrant in other instances was not raised or decided.

Congress, in the National Prohibition Act made a distinction between the search of a home and other places. Section 25 of that Act provides:

"No search warrant shall issue to search any private dwelling occupied as such unless it is being used for the unlawful sale of intoxicating liquor, or unless it is in part used for some business purpose such as a store, shop, saloon, restaurant, hotel, or boarding house."

This distinction is again made in Section 6 of the Supplemental Prohibition Act, Public No. 96, Sixty-seventh Congress, approved November 23, 1921, Section 6 of which reads in part:

"That any officer, agent, or employee of the United States engaged in the enforcement of this Act, or the National Prohibition Act, or any other law of the United States, who shall search any private dwelling as defined in the National Prohibition Act, and occupied as such dwelling, without a warrant directing such search, or who while so engaged shall without a search warrant maliciously and without reasonable cause search any other building or property, shall be guilty of a misdemeanor and upon conviction thereof shall be fined for a first offense not more than \$1,000, and for a subsequent offense not more than \$1,000 or imprisoned not more than one year, or both such fine and imprisonment."

In this connection attention is also called to another class of search without a warrant which has been excepted from the operation of both such fine and imprisonment."

case of *U. S. vs. Yuginovich*, decided June 1, 1921, reported in *U. S. Supreme Court Advance Opinion*, No. 16, page 679.

The reference made by the court to the Revenue Laws and their history in the *Boyd* case is important because the National Prohibition Act enacted for the enforcement of the Eighteenth Amendment provides that officers in the enforcement of the Prohibition Act shall have all the power conferred by the Revenue Laws, so far as they are applicable. Under the provisions of the Revenue Laws officers have long had the right of entry, without a warrant, in certain instances to places where liquor was being manufactured or kept with the intent to defraud the government of the tax and have had authority to seize such liquor and apparatus. Under this power moonshining has been suppressed. While the Court in the *Boyd* case, Justice Bradley in his decision points out the existence of these customs at the time of the adoption of the Fourth Amendment and says such practices are necessarily excepted out of the category of unreasonable searches and seizures. This is a recognition of the fact that all searches without a warrant are not prohibited; but only unreasonable searches. The right of Congress to authorize officers to make searches without a warrant in the enforcement of the revenue laws in certain instances has been recognized since the inception of the government; but this right is subject to limitations. In the case of *Amos vs. United States*, decided February 28, 1921, (No. 10 Advance Opinions, *U. S. Supreme Court* p. 316) the right of search under the revenue laws was involved. The defendant in this case was tried upon an indictment alleging a violation of the revenue laws. After the jury was sworn, but before any evidence was offered the defendant presented to the court a petition requesting the return to him of certain private property which it was averred the district attorney intended to use in evidence against him. The petition stated that two officers of the revenue went to the defendant's home, and, not finding him there, but finding a woman who said she was his wife, told her they were revenue officers, and that thereupon the woman opened the store and the officers entered and in a barrel of peas found a bottle containing not quite a half-pint of blockade whisky. They then went into the home of the defendant, and, on searching, found two bottles of whisky under the quilt on the bed. The evidence showed the officers had no warrant for the search. The defendant was convicted and appealed. The Government relied upon two points in the argument before the Supreme Court. First, that the objection was too late coming after the trial had begun. Second, that the wife of the defendant had waived his rights by consenting to the search. The Court upon the authority of the *Gould* case hereinafter referred to held the objection to the introduction of the evidence was not too late. Upon the second point the court, without passing upon

the Fourth and Fifth Amendments. Two members of the court held that the act contravened the Fifth Amendment only, as it had nothing to do with search warrants; it merely authorized the court to require the defendant to produce the papers. But the important feature of the decision in relation to the enforcement of the Eighteenth Amendment is to be found in the following from the opinion of the court:

" . . . It is our opinion, therefore, that a compulsory production of a man's private papers to establish a criminal charge against him or to forfeit his property is within the scope of the Fourth Amendment to the Constitution, in all cases in which a search and seizure would be; because it is a material ingredient and affects the sole object and purpose of search and seizure. . . ."

" . . . The seizure of stolen goods is authorized by the common law; and the seizure of goods forfeited for a breach of the revenue laws, or concealed to avoid the duties payable on them, has been authorized by English statutes for at least two centuries past; and the like seizures have been authorized by our own Revenue Acts from the commencement of the Government. The first statute passed by Congress to regulate the collection of duties, the Act of July 31, 1789, 1 Stat. at L. 43, contains provisions to this effect. As this Act was passed by the same Congress which proposed for adoption the original Amendments to the Constitution, it is clear that the members of that body did not regard searches and seizures of this kind as "unreasonable," and they are not embraced within the prohibition of the Amendment. So also the supervision authorized to be exercised by officers of the revenue over the manufacture or custody of excisable articles, and the enforcement thereof in books required by law to be kept for their inspection, are necessarily excepted out of the category of unreasonable searches and seizures. So also the laws which provide for the search and seizure of articles and things which it is unlawful for a person to have in his possession for the purpose of issue or disposition, such as counterfeit coin, lottery tickets, implements of gambling, etc., are not within this category. Commonwealth vs. Dana, 2 Not. 329. Many other things of this character might be enumerated."

In this language the court expressly recognizes the search and seizure provisions as they had existed in the revenue laws prior to the legislation then being considered by the court, as not being in contravention of the Fourth Amendment. Intoxicating liquor whether manufactured for beverage or non-beverage purposes is subject to a tax. The National Prohibition Act provides that upon liquor manufactured in violation of its terms there shall be assessed taxes in double the amount provided by existing law. Provision is also made for the imposition of a tax penalty of \$500 upon retailers and \$1,000 on manufacturers. The Supreme Court upheld the prohibitive tax as a valid enforcement principle in the

yet been before the Supreme Court. The decisions here cited forth the underlying principles of interpretation herein referred to. The Fourth and Fifth amendments were among ten amendments submitted to the several states on September 25, 1789, by the first Congress which convened after the inauguration of the government of the United States under the Constitution. The proposed amendments were ratified December 15, 1791. It does not appear from the journals of Congress that the legislatures of Connecticut, Georgia or Massachusetts ever ratified the amendments. The Fourth and Fifth Amendments are as follows:

Article IV.

"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

Article V.

"No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any Criminal Case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation."

An interesting history of how the principles embodied in the Fourth Amendment were incorporated into English law and finally came to be made a part of the Constitution of the United States will be found in the opinion of Mr. Justice Bradley, in the case of *Boyd vs. U. S.*, 116 U. S. 616; 29 L. Ed. 746.

This case is one of great importance in any consideration of the Fourth and Fifth Amendments. In this case an action was brought under the revenue laws against the defendants for the forfeiture of a shipment of plate glass on which it was alleged the duty had not been paid. During the course of the trial it became material to prove the value and quantity of a previous shipment. In conformity with the provisions of an act of Congress of June 22, 1874, the lower court entered an order requiring the defendants to produce the invoice. This the defendants did and it was introduced in evidence. The defendants objected on the ground that the act of Congress authorizing it was unconstitutional as violating the Fourth Amendment in authorizing an unreasonable search, and the Fifth Amendment, in that it compelled them to give evidence against themselves. The Supreme Court held the act of Congress unconstitutional as contravening both

National Prohibition Act was enacted shall be and continue in force, as to both beverage and nonbeverage liquor, except such provisions of such laws as are directly in conflict with any provision of the National Prohibition Act or of this act; but if any act is a violation of any of such laws and also of the National Prohibition Act or of this Act, a conviction for such act or offense under one shall be a bar to prosecution thereafter under the other. All taxes and tax penalties provided for in section 35 of Title II of the National Prohibition Act shall be assessed and collected in the same manner and by the same procedure as other taxes on the manufacture of or traffic in liquor."

REFERENCE TO THE DECISIONS OF THE UNITED STATES SUPREME COURT CONSTRUING THE EIGHTEENTH AMENDMENT AND NATIONAL PROHIBITION ACT CHRONOLOGICALLY ARRANGED

Hamilton v. Kentucky Distilleries & W. Co., 251 U. S. 146, 40 Su. Ct. Rep. 106, 64 L. Ed. 194. Decided Dec. 15, 1919.
Ruppert v. Caffey, 251 U. S. 264, 40 Su. Ct. Rep. 141, 64 L. Ed. 260. Decided January 5, 1920.
United States v. Standard Brewery, 251 U. S. 210, 40 Su. Ct. Rep. 210, 64 L. Ed. 229. Decided January 5, 1920.
Hawke v. Smith, 253 U. S. 221, 64 L. Ed. 871. Decided June 1, 1920.
Rhode Island v. Palmer (cited under the head of the National Prohibition Cases by the official reporter) 253 U. S. 350, 40 Su. Ct. Rep. 486, 64 L. Ed. 946. Decided June 7, 1920.
Street v. Lincoln Safe Deposit Co., 254 U. S. 88, 65 L. Ed. 151, 10 A. L. R., 1548, 40 Su. Ct. Rep. 31. Decided November 8, 1920.
Dillon v. Gloss, 256 U. S. ———, U. S. Su. Ct. Adv. Op. 1921, No. 15, p. 611. Decided May 16, 1921.
United States v. Yuginovich, 256 U. S. ———, U. S. Su. Ct. Adv. Op. 1921, No. 16, p. 679. Decided June 1, 1921.
Cornell v. Moore, U. S. Su. Ct. Adv. Op. 1922, No. 8, p. 213. Decided January 30, 1922.

SEARCH AND SEIZURE—COMPELLING A PERSON TO BE A WITNESS AGAINST HIMSELF

[Prepared by the Legal Department of the Anti-Saloon League of America]

The adoption of the Eighteenth Amendment to the Constitution of the United States with the passage of the National Prohibition Act, divesting liquor possessed in violation of law of its character as property and providing for the search and seizure of such outlawed liquors, renders important a knowledge of the decisions of the Supreme Court of the United States under the fourth and fifth amendments to the Constitution. The question of search and seizure under the National Prohibition Act has not

with, are repealed only to the extent of such inconsistency. It from, the person responsible for such illegal manufacture and sale taxes in double the amount, with an additional penalty of \$500 on retail dealers and \$1,000 on manufacturers." Criminal prosecutions for violation of the penal provisions may also be invoked and penalties are provided therefor. The penalties under the sections of the National Prohibition Act which provide for criminal prosecutions are less severe than the penalties fixed under the internal revenue laws. The Supreme Court after a discussion of the various sections of the National Prohibition Act and the Internal Revenue Laws said:

"That Congress may, under the broad authority of the taxing power, tax intoxicating liquors notwithstanding their production is prohibited and punished. We have no question. The fact that the statute in this aspect had a moral end in view as well as the raising of revenue, presents no valid constitutional objection to its enactment. . . ."

"We agree with the court below that while Congress manifested an intention to tax liquors illegally as well as those legally produced, which was within its constitutional power, it did not intend to preserve the old penalties prescribed in Sec. 3257 (the revenue laws) in addition to the specific provision for punishment made in the Volstead Act. . . ."

The effect of this decision was to sustain the principle of a prohibitive tax as a constitutional method of enforcement. Upon the question of whether the penal provisions of the internal revenue law were repealed by the National Prohibition Act the decision cannot be regarded as conclusive for the Court was careful to point out that its opinion was based upon the interpretation of the indictment adopted by the lower court, the correctness of which upon such an appeal was not the subject of review. The court said:

"It is well settled that in cases of this character the construction or sufficiency of the indictments is not brought before us * * *. The questions before us solely concern the construction of the statutes involved, under an indictment pertaining to the production of liquor for beverage purposes * * *."

The question of the effect of the National Prohibition Act upon the various provisions of the internal revenue laws had given rise to much difference of opinion among the various district courts. Congress provided in Section 5 of the Supplemental Prohibition Act, Public No. 96, 67th Congress, approved November 23, 1921, after the decision of the Supreme Court in this case, as follows:

"That all laws in regard to the manufacture and taxation of and traffic in intoxicating liquor, and all penalties for violations of such laws that were in force when the

access to, nor possession of the spirits they purchased. Mere ownership was not the equivalent. Under Section 33 there must be ownership and possession in one's private dwelling, and that character cannot be assigned to the bonded warehouses of the government."

It was also contended that insofar as the act related to liquors purchased prior to the date the Eighteenth Amendment became effective that it was unconstitutional. In answer to this the Supreme Court said:

"It is asserted that the Eighteenth Amendment was not intended to be retrospective, and that if it and the Volstead Act should be so treated,—that is, if applied to liquor manufactured and lawfully acquired before their respective dates—they are void,—they thereby taking from property its essential attributes, 'the right to use it, possess it and enjoy it,' and made unlawful by the 5th Amendment to the Constitution, and that the 5th Amendment is not repealed by the 18th Amendment. We are not disposed to trace the elements of the contentions minutely,—they are answered in all their phases by the National Prohibition Cases (Rhode Island v. Palmer) 253 U. S., 350, 387, 64 L. Ed., 946, 978, 40 Sup. Ct. Rep. 486, 588."

VALIDITY OF PROHIBITIVE TAXES—REVENUE LAWS

The case of United States vs. Yuginovich, 256 U. S. _____, (U. S. Supreme Court Adv. Op. 1921, No. 16,679) decided June 1, 1921, involved two questions of great importance in the enforcement of the Eighteenth Amendment. First, the validity of a prohibitive tax as a constitutional method of enforcement of the Eighteenth Amendment. Second, whether the criminal penalties of the old internal revenue laws of the United States are applicable to the illicit manufacture of liquors since the passage of the National Prohibition Act.

The facts were, that the defendants were tried upon an indictment containing four counts, each alleging a violation of a distinct provision of the internal revenue laws of the United States. It was alleged, in substance, first, that the defendant did distill spirits subject to the internal revenue tax and did defraud the United States of the tax on the same. Second, that they did fail to keep up the sign, "registered distillery" as required by the revenue laws. Third, that they did conduct the business of a distiller without giving the bond required by law. Fourth, that, they did make a mash, fit for distillation in a building not a distillery duly authorized by law. The defendants made defense that the sections of the revenue laws which they were charged with violating had been repealed by the National Prohibition Act. The lower court sustained their contention and the case was appealed to the United States Supreme Court. The National Prohibition Act provides that all provisions of existing law, inconsistent there-

ported to the Commissioner of Internal Revenue within ten days after the date upon which the Eighteenth Amendment to the Constitution went into effect.

Second: That there is administrative power under the act to so regulate the transfer of such stored liquors from a warehouse to the dwelling of the owner, as to prevent their being used to evade the prohibitions of the act, or to substantially interfere with its effective enforcement.

LIQUORS STORED IN BONDED WAREHOUSES CANNOT BE REMOVED TO DWELLING OF OWNER WHETHER PURCHASED BEFORE OR AFTER THE DATE THE EIGHTEENTH AMENDMENT BECAME EFFECTIVE

The Supreme Court on January 30, 1922, rendered a decision of far-reaching importance in the enforcement of the National Prohibition Act. The court held that there was no right upon the part of a citizen to withdraw liquor from a bonded warehouse for personal use in the home no matter when title to such liquor was acquired. Four cases were involved. In each instance a suit had been brought by the appellant against the Collector of Internal Revenue to compel that officer to permit the withdrawal of the liquor upon payment of the tax. The bills were dismissed by the district courts and appeal taken direct to the United States Supreme Court. The style of the cases were: Cornell v. Moore, (No. 174); Ghio v. Moore (No. 175) appealed from the District Court for the Eastern District of Missouri. Bryan v. Miles, (No. 428) appealed from the District Court of Maryland. Eastes v. Crutchley, (No. 548) appealed from the District Court for the Western District of Maryland.

Inasmuch as these cases involved similar questions they were grouped together and reported in United States Supreme Court Advance Opinions, 1922, No. 8, page 213. In each case the warehouse receipts were purchased at a different date. In the Cornell and Eastes cases the purchase was made prior to the ratification of the Eighteenth Amendment. In the Bryan case the purchase was made prior to the effective date of the Volstead Act. In the Ghio case the purchase was made after the effective date of the Eighteenth Amendment and the Volstead Act. The appellants relied upon certain implied exceptions alleged to exist in the National Prohibition Act with reference to the possession of liquor in one's private dwelling for the personal consumption of the owner, his family, and bona fide guests therein, also upon the decision of the Supreme Court in the case of Street v. Lincoln Safe Deposit Company, 254 U. S. 88. The Supreme Court said:

"There is no analogy in Street's relation to the room in the Deposit Company's warehouse and appellants' relation to bonded warehouses. They had neither control,

The Eighteenth Amendment is the first Amendment to the Constitution proposed, which has contained a limitation as to the time within which it must be ratified. This decision may be said to establish a precedent in that it expressly recognizes the right of Congress to fix a reasonable period within which an amendment to the Constitution must be ratified. It also settles the date upon which constitutional amendments become operative as that upon which the ratification is consummated, of which the court will take judicial notice.

STATUS OF LIQUORS PURCHASED FOR PERSONAL USE PRIOR TO DATE ON WHICH PROHIBITION BECAME EFFECTIVE WHEN STORED IN A PRIVATE WAREHOUSE

In the case of Street vs. Lincoln Safe Deposit Co., 254 U. S. 88, decided Nov. 8, 1920, the Court was called upon to settle the question of the status of liquor purchased prior to the date upon which national prohibition became effective, intended solely for the personal consumption of the owner, his family and guests in his private dwelling, when stored in a private depository other than the bona fide home of the citizen.

The plaintiff, Street, filed a bill, in which it was alleged that he had purchased certain liquors prior to the date upon which national prohibition became effective, intended solely for his own personal consumption, that of his family and bona fide guests in his own home as permitted by the National Prohibition Act; had stored the same in a room rented from the Lincoln Deposit Co., a warehousing corporation; that he intended to report the liquors so stored to the Commissioner of Internal Revenue as required by law; that the defendant, Porter, an internal revenue officer of the United States, had threatened and declared that the possession of such liquor by the Deposit Company would be unlawful after the date upon which the National Prohibition Act became effective; that the Deposit Company because of these notices and threats had notified the plaintiff that he must remove the liquors from the warehouse. The plaintiff averred as a matter of law that the possession of liquors in a warehouse was not prohibited by the Eighteenth Amendment, and asked that an injunction be issued restraining the defendant from interfering with his possession of the liquor in the room of the warehouse. The lower court dismissed the petition and the case was brought on direct appeal to the United States Supreme Court to determine the constitutional question involved. The Supreme Court reviewed the various sections of the law, and reversed the decision of the lower court. Its decision may be summarized as follows:

First: That the possession of liquors stored in a private warehouse is not unlawful when such liquors were purchased prior to the date upon which the National Prohibition Act became effective, intended solely for the personal consumption of the owner, his family and bona fide guests in his own home and were duly re-

Recent Decisions of the United States Supreme Court

[Prepared by the Legal Department of the Anti-Saloon League of America]

Since the resume of decisions published in the Year Book, 1920, the following decisions by the United States Supreme Court relating to the Eighteenth Amendment and National Prohibition Act have been rendered.

EIGHTEENTH AMENDMENT—SEVEN YEAR LIMITATION FOR RATIFICATION—DID NOT INVALIDATE—DATE EFFECTIVE

The case of *Dillon v. Gloss*, 256 U. S. _____; _____;

(United States Supreme Court Advance Opinions, 1921, No. 15, p. 611), the opinion in which was delivered by the Court on May 16, 1921, decided two very interesting questions. The petitioner, Dillon, was arrested on January 17, 1920, charged with a violation of the National Prohibition Act. He sought his discharge upon a writ of habeas corpus, which was denied by the lower court, whereupon he appealed to the Supreme Court. There he relied upon two grounds. First, the Eighteenth Amendment was invalid because the congressional resolution proposing the Amendment, declared that it should be inoperative unless ratified within seven years, and, second, that the National Prohibition Act which he was alleged to have violated had not gone into effect at the time of the commission of the alleged offense. The Court reviewed the history of all the proposed amendments to the Constitution and effectually disposed of the first contention in the following language:

"Of the power of Congress, keeping within reasonable limits, to fix a definite period for the ratification we entertain no doubt."

The second point necessitated a determination of the date upon which the Eighteenth Amendment became operative. The language of the Amendment provided that it should be operative one year from its ratification. The legislatures of the necessary three-fourths of the states had ratified the Amendment on January 16, 1919, but the Secretary of State did not proclaim its ratification until January 29, 1919, and since the accused was arrested on January 17, 1920, it became material to determine whether the law became operative one year from January 16, or January 29, 1919. The court said:

"Its ratification, of which we take judicial notice, was consummated January 16, 1919. That the Secretary of State did not proclaim its ratification until January 29, 1919, is not material, for the date of its consummation, and not that on which it is proclaimed, controls."

DENOMINATIONS

*Small increase due to fact that returns for 1921 lacking for 4 chief bodies.
†Returns for 1921 not yet ready. Constituency, 103,421.

INTERNAL REVENUE STATISTICS

AREA UNDER PROHIBITION AND LICENSE BY STATE LAW,
PRIOR TO THE GOING INTO EFFECT OF NATIONAL PROHIBI-
TION, JANUARY 17, 1920

STATE	Total Land Area (Sq. Miles)	Land Area Under License (Sq. Miles)	Per Cent Wet	Land Area Under Prohibition (Sq. Miles)	Per Cent Dry
Alabama	51,279	None	...	51,279	100
Arizona	113,810	None	...	113,810	100
Arkansas	52,525	None	...	52,525	100
California	155,652	60,652	38.9	95,000	61.1
Colorado	103,658	None	...	103,658	100
Connecticut	4,820	1,020	21.1	3,800	78.9
Delaware	1,965	10	0.5	1,955	99.5
District of Columbia	60	None	...	60	100
Florida	54,861	None	...	54,861	100
Georgia	58,725	None	...	58,725	100
Idaho	83,354	None	...	83,354	100
Illinois	56,043	6,597	11.7	49,446	88.3
Indiana	36,045	None	...	36,045	100
Iowa	55,586	None	...	55,586	100
Kansas	81,774	None	...	81,774	100
Kentucky*	40,181	None	...	40,181	100
Louisiana	45,409	8,730	19.2	36,679	81.8
Maine	29,895	None	...	29,895	100
Maryland	9,941	1,402	14.8	8,479	85.2
Massachusetts	8,039	2,465	30.6	5,574	69.4
Michigan	57,480	None	...	57,480	100
Minnesota	80,858	14,166	17.6	66,692	82.4
Mississippi	46,362	None	...	46,362	100
Missouri	68,727	6,873	10.0	61,854	90.0
Montana	146,201	None	...	146,201	100
Nebraska	76,808	None	...	76,808	100
Nevada	109,821	None	...	109,821	100
New Hampshire	9,031	None	...	9,031	100
New Jersey	7,514	5,260	70.0	2,254	30.0
New Mexico	122,503	None	...	122,503	100
New York	47,654	16,654	34.9	30,000	65.1
North Carolina	48,740	None	...	48,740	100
North Dakota	70,183	None	...	70,183	100
Ohio	40,740	None	...	40,740	100
Oklahoma	69,414	None	...	69,414	100
Oregon	95,607	None	...	95,607	100
Pennsylvania	44,832	31,793	70.9	13,039	29.1
Rhode Island	1,067	643	61.2	414	38.8
South Carolina	30,495	None	...	30,495	100
South Dakota	76,868	None	...	76,868	100
Tennessee	41,687	None	...	41,687	100
Texas	262,398	None	...	262,398	100
Utah	82,184	None	...	82,184	100
Vermont	9,124	186	2.0	8,938	98.0
Virginia	40,262	None	...	40,262	100
Washington	66,836	None	...	66,836	100
West Virginia	24,022	None	...	24,022	100
Wisconsin	55,256	13,815	25.0	41,441	75.0
Wyoming	97,594	None	...	97,594	100
Totals	2,973,890	138,523	4.6	2,835,367	95.4

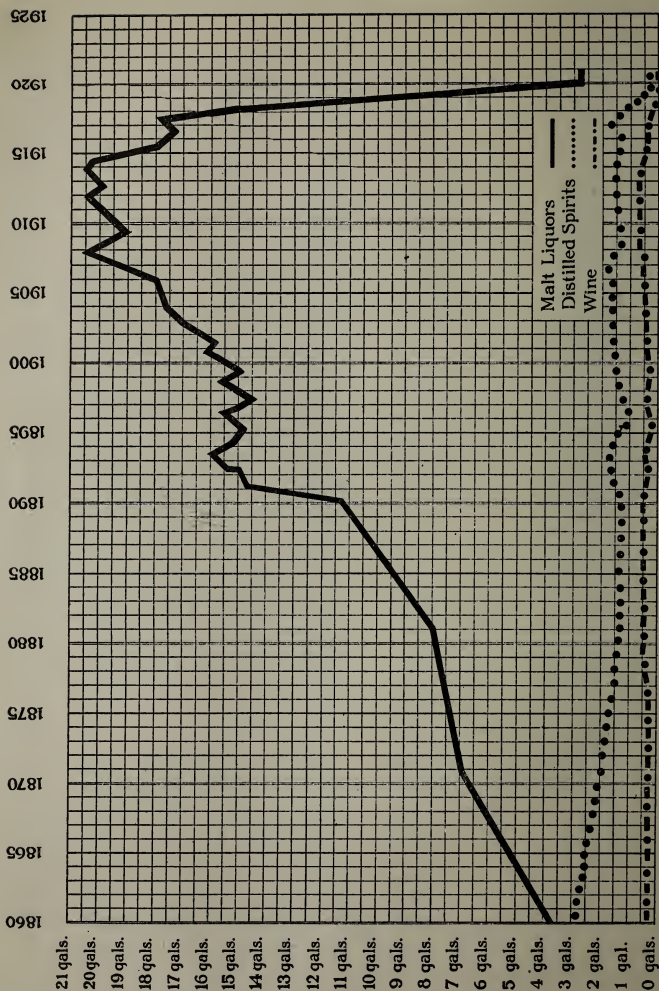
*State-wide Prohibition adopted in Kentucky in November, 1919; became effective June 30, 1920.

POPULATION LIVING UNDER PROHIBITION AND LICENSE BY
STATE LAW PRIOR TO THE GOING INTO EFFECT OF NATIONAL
PROHIBITION JANUARY 17, 1920

STATE	Population 1920	Population in Wet Territory	Per Cent in Dry Territory	Population Per Cent Dry	*State-wide Prohibition adopted in Kentucky in November, 1919; became effective June 30, 1920.				
					Totals	Alabama	Arizona	Arkansas	California
Alabama	2,348,174	None	None	..	2,348,174	2,348,174	334,162	1,752,204	3,426,861
Arizona	2,348,174	None	None	..	2,348,174	2,348,174	334,162	1,752,204	3,426,861
Arkansas	1,752,204	None	None	..	1,752,204	1,752,204	1,752,204	1,752,204	1,752,204
California	3,426,861	1,977,299	57.7	..	1,449,562	1,449,562	334,162	1,752,204	3,426,861
Colorado	939,629	None	None	..	939,629	939,629	939,629	939,629	939,629
Connecticut	1,380,631	1,034,093	74.9	..	346,538	346,538	346,538	346,538	346,538
Delaware	223,003	96,337	43.2	..	126,666	126,666	126,666	126,666	126,666
District of Columbia	437,571	None	None	..	437,571	437,571	437,571	437,571	437,571
Florida	968,470	None	None	..	968,470	968,470	968,470	968,470	968,470
Georgia	2,895,832	None	None	..	2,895,832	2,895,832	2,895,832	2,895,832	2,895,832
Idaho	431,866	None	None	..	431,866	431,866	431,866	431,866	431,866
Illinois	6,485,280	3,437,198	53.0	..	3,048,082	3,048,082	3,048,082	3,048,082	3,048,082
Indiana	2,930,390	None	None	..	2,930,390	2,930,390	2,930,390	2,930,390	2,930,390
Iowa	2,404,021	None	None	..	2,404,021	2,404,021	2,404,021	2,404,021	2,404,021
Kansas	1,769,257	None	None	..	1,769,257	1,769,257	1,769,257	1,769,257	1,769,257
Kentucky*	2,416,630	None	None	..	2,416,640	2,416,640	2,416,640	2,416,640	2,416,640
Louisiana	1,798,509	847,098	47.1	..	951,411	951,411	951,411	951,411	951,411
Maine	768,014	None	None	..	768,014	768,014	768,014	768,014	768,014
Maryland	1,449,661	739,327	51.0	..	710,334	710,334	710,334	710,334	710,334
Massachusetts	3,852,356	2,623,454	68.1	..	1,228,902	1,228,902	1,228,902	1,228,902	1,228,902
Michigan	3,668,412	3,668,412	42.0	..	3,668,412	3,668,412	3,668,412	3,668,412	3,668,412
Minnesota	2,387,125	1,002,593	42.0	..	1,384,532	1,384,532	1,384,532	1,384,532	1,384,532
Mississippi	1,790,618	None	None	..	1,790,618	1,790,618	1,790,618	1,790,618	1,790,618
Missouri	3,404,055	1,599,906	47.0	..	1,804,149	1,804,149	1,804,149	1,804,149	1,804,149
Montana	548,889	None	None	..	548,889	548,889	548,889	548,889	548,889
Nebraska	1,296,372	None	None	..	1,296,372	1,296,372	1,296,372	1,296,372	1,296,372
Nevada	77,407	None	None	..	77,407	77,407	77,407	77,407	77,407
New Hampshire	443,083	None	None	..	443,083	443,083	443,083	443,083	443,083
New Jersey	3,155,900	2,840,310	90.0	..	315,590	315,590	315,590	315,590	315,590
New Mexico	360,350	360,350	..	..	360,350	360,350	360,350	360,350	360,350
New York	10,385,227	8,484,730	81.7	..	1,900,497	1,900,497	1,900,497	1,900,497	1,900,497
North Carolina	2,559,123	None	None	..	2,559,123	2,559,123	2,559,123	2,559,123	2,559,123
North Dakota	646,872	None	None	..	646,872	646,872	646,872	646,872	646,872
Ohio	5,759,394	None	None	..	5,759,394	5,759,394	5,759,394	5,759,394	5,759,394
Oklahoma	2,028,283	None	None	..	2,028,283	2,028,283	2,028,283	2,028,283	2,028,283
Oregon	783,389	None	None	..	783,389	783,389	783,389	783,389	783,389
Pennsylvania	8,720,017	7,080,654	81.2	..	1,639,363	1,639,363	1,639,363	1,639,363	1,639,363
Rhode Island	604,397	528,847	87.5	..	75,550	75,550	75,550	75,550	75,550
South Carolina	1,683,724	None	None	..	1,683,724	1,683,724	1,683,724	1,683,724	1,683,724
South Dakota	636,547	None	None	..	636,547	636,547	636,547	636,547	636,547
Tennessee	2,337,885	None	None	..	2,337,885	2,337,885	2,337,885	2,337,885	2,337,885
Texas	4,663,228	None	None	..	4,663,228	4,663,228	4,663,228	4,663,228	4,663,228
Utah	449,396	None	None	..	449,396	449,396	449,396	449,396	449,396
Vermont	352,428	49,692	14.1	..	302,736	302,736	302,736	302,736	302,736
Virginia	2,309,187	None	None	..	2,309,187	2,309,187	2,309,187	2,309,187	2,309,187
Washington	1,356,621	None	None	..	1,356,621	1,356,621	1,356,621	1,356,621	1,356,621
West Virginia	1,463,701	None	None	..	1,463,701	1,463,701	1,463,701	1,463,701	1,463,701
Wisconsin	2,632,067	1,466,061	55.7	..	1,166,006	1,166,006	1,166,006	1,166,006	1,166,006
Wyoming	194,402	None	None	..	194,402	194,402	194,402	194,402	194,402
Totals	105,710,620	33,807,599	31.7	..	71,903,031	71,903,031	68,3	68,3	68,3

CONSUMPTION OF MALT LIQUORS, SPIRITS AND WINE,

1860-1921



These statistics are published in the Statistical Abstract of the United States and are taken from the official census reports of the federal government. In compiling these statistics the gradual increase in the population is taken into account year by year. While these statistics do not show absolutely the per capita consumption of liquor, they present the most accurate estimate of such consumption that it is possible to make.

The following diagram shows the average yearly increase in the per capita consumption of malt liquors, distilled spirits, and wines for the first three decades, and the actual yearly per capita consumption for the last three decades. It will be observed that per capita consumption increased as much in the ten years preceding 1890 as it has during the entire 31 years since 1890.

The per capita consumption of liquors, as shown in the foregoing tables, reached the highest mark in 1907. Several states adopted Prohibition in 1907, and a large number of counties in other states voted no-license during 1908 and 1909. This was sufficient to offset the natural increased consumption in the large cities and license areas, and in addition to decrease the average. It should be remembered in this connection that the constantly increasing efficiency of the law enforcement organization in the Internal Revenue Department of the government has a tendency in itself to show a small increase in the consumption of intoxicants.

PER CAPITA CONSUMPTION OF ALL LIQUORS

The following table, which shows the per capita consumption of spirits, wines and malt liquors during each year for the past 81 years, furnishes the only statistics by which anything like a just and reasonable estimate can be made as to the increase in liquor consumption in the United States.

CONSUMPTION OF ALL LIQUORS IN THE UNITED STATES, 1840-1921

YEAR	Total Consumption of Wines and Liquors	P. Gals. (b) Spirits	P. Gals. (c) Wines	P. Gals. (c) Malt Liquors	P. Gals. (c) All Liquors and Wines	Total Consumption Per Capita																																				
						1840	1850	1860	1870	1871-80 (a)	1881-90 (a)	1891	1892	1893	1894	1895	1896	1897	1898	1900	1901	1902	1903	1904	1905	1906	1907	1908	1909	1910	1911	1912	1913	1914	1915	1916	1917	1918	1919	1920	1921	
	71,244,823	2.52	0.29	1.36	4.17	1.36	1.58	3.22	6.43	7.70	8.79	13.21	16.72	17.13	18.20	16.98	16.57	16.50	17.37	16.82	15.30	16.09	17.76	17.65	19.14	19.57	19.87	19.85	19.54	20.56	22.79	22.22	21.06	22.80	20.69	18.40	17.78	14.77	8.00	2.61	2.95	3.12

(a) Average for the period. (b) Since 1885 includes domestic spirits exported and returned. (c) Product less domestic export.

INTERNAL REVENUE STATISTICS

FISCAL YEAR 1922

Districts	Whisky	Rum, gin and High Wines	Alcohol	Neutral or Cologne spirits	Aggregate
Alabama	15,625.2	1,317.4	..	..	16,942.6
Connecticut	..	2,018.3	..	..	2,018.3
8th Illinois	964,702.6	358,267.9	14,391.2	105,057.1	1,444,2418.8
Indiana	276,521.0	8,825.0	..	48.4	285,394.5
Kentucky	480,977.0	90,226.5	9,970.0	26,019.0	607,192.5
Louisiana	22,037,004.4	207,414.3	63,997.0	112,196.8	22,420,612.5
Maryland	2,736,118.1	3,977.4	1,114.3	34,788.3	50,945.6
Massachusetts	..	366,235.2	51,934.2	..	2,788,353.6
1st Missouri	45,133.3	..	..	..	45,133.3
14th New York	62,565.9	29,817.1	..	..	92,383.0
21st New York	97,674.0	27,377.3	..	9,555.3	134,606.6
18th Ohio	789,1174.3	46,7702.2	3,839.9	..	840,187.9
1st Ohio	16,954.4	..	..	..	16,954.4
1st Pennsylvania	327,427.9	336.3	81.0	..	327,845.2
23d Pennsylvania	6,194,611.4	..	..	807.4	6,195,418.8
1st Texas	..	..	7,192.6	..	7,192.6
Wisconsin	6,242.3	492.5	..	..	6,734.8
Total	34,050,731.8	1,158,050.4	200,778.3	288,943.8	35,698,504.3
General Bonded Warehouses	423,793.4	11,378.1	76.0	1,556.3	436,803.8
1st California	..	..	..	..	..
6th California	132,675.5	4,080.0	196.1	290.4	137,182.0
1st Illinois	460,388.0	10,418.9	19,937.4	437.8	491,821.0
Kentucky	268,734.9	9,689.8	1,063.0	1,442.3	280,930.0
Maryland	31,496.3	1,103.0	2,966.4	..	35,565.7
Massachusetts	222,932.9	3,115.6	175.5	1,464.1	227,688.1
1st Missouri	56,010.7	..	..	..	56,010.7
6th Missouri	119,396.7	5,272.7	..	3,589.9	128,259.3
5th New Jersey	28,161.7	12,741.9	14,517.5	..	55,421.1
1st New York	45,787.8	..	..	..	45,787.8
4th New York	419,907.4	136,749.1	303,637.9	20,459.8	880,755.2
14th New York	51,306.7	..	..	..	51,306.7
21st New York	15,049.8	48.5	..	..	15,098.3
1st Pennsylvania	88,185.4	17,190.9	..	3,123.8	108,500.1
12th Pennsylvania	146,838.5	..	..	..	146,838.5
23d Pennsylvania	21,986.7	3,130.9	..	..	25,117.6
Virginia	5,184.1	..	..	..	5,184.1
Total	2,537,836.5	214,920.4	342,569.8	32,364.4	3,127,691.1
Grand total	36,588,568.3	1,372,970.8	433,481.1	321,308.2	38,826,195.4

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TION DISTRICTS

FISCAL YEAR 1921

Districts	Whisky	Rum, Gin and High Wines	Alcohol	Neutral or Cologne spirits	Aggregate
Alabama	15,625.2	1,317.4			16,942.6
Connecticut		2,176.3			2,176.3
1st Illinois	1,058,432.6	361,290.9	19,472.2		1,553,455.0
8th Illinois	316,576.6	8,825.0			325,450.0
Indiana	619,319.4	91,048.7			763,052.4
Kentucky	23,974,224.2	208,048.6	64,730.0		24,359,288.9
Louisiana		15,043.0	1,298.9		52,159.4
Maryland	2,999,553.2	5,643.3	48,258.1		3,053,455.6
Massachusetts		381,418.1	52,066.1		433,484.2
1st Missouri	48,022.2				48,022.2
6th Missouri	97.0				97.0
14th New York	77,929.7	29,817.1			107,746.8
21st New York	97,870.0	34,447.1			141,872.4
1st Ohio	884,684.6	47,059.8	4,112.8		938,162.4
18th Ohio	16,954.4				16,954.4
1st Pennsylvania	414,854.7	336.3	81.0		415,272.0
12th Pennsylvania	2,829.8				2,829.8
23d Pennsylvania	6,583,697.4	1,096.7			6,589,736.6
1st Texas	137,295.9		7,192.6		7,192.6
West Virginia					137,295.9
Wisconsin	6,433.9	492.5			6,926.4
Total	37,254,400.8	1,188,061.8	207,656.7	321,451.5	38,971,570.8
General Bonded Warehouses					
1st California	495,437.0	11,949.4	272.4	2,619.3	510,278.1
6th California	417,820.7	4,126.5	293.8	481.3	132,722.3
Illinois	125,062.5	10,418.9	38,707.9	437.8	464,627.1
Kentucky	266,422.1	8,581.9	1,063.0		276,067.0
Maryland	15,968.7	1,103.0	2,966.4		20,038.1
Massachusetts	267,332.8			1,464.1	272,133.7
1st Missouri	53,194.6				53,194.6
6th Missouri	134,421.5	5,320.4		4,076.1	143,813.0
5th New Jersey	53,994.8	15,152.8			121,023.3
d New York	488,087.9	18,879.2	337,934.7	34,439.5	879,341.3
14th New York	57,745.4				57,745.4
1st Ohio	24,342.8	1,199.1		913.3	26,455.2
1st Pennsylvania	90,819.0	17,190.9		3,123.8	111,113.7
12th Pennsylvania	186,667.9				186,667.9
23d Pennsylvania	24,994.0				27,351.4
2d Virginia	5,231.3				5,231.3
Total	2,707,543.0	99,440.8	433,289.4	47,555.2	3,287,828.4
Grand total	39,961,943.8	1,287,502.6	640,946.1	1369,006.7	42,259,399.2

results of the National Amendment thus far justify the law and promise still better results in the future.

In the University we have never been greatly troubled by the students using liquor, although in former years we have occasionally been obliged to discipline students for drinking. Now this is a thing of the past, the city is quieter, the general tone of the community has improved, and that dark spot in the educational atmosphere is practically eliminated. Anything which tends to weaken the enforcement of this law is a serious thrust at all respect of order and a weakening of a most desirable advance in general progress.

Were the question to be put to a vote of faculty and students in Willamette University, there would assuredly not be 1 per cent desire a return to the old order.—**C. G. Doney, President of Willamette University, Salem, Oregon.**

Let me say there is but one opinion and that is most positively in favor of prohibition. Of course there are violations of the prohibitory act, so are there violations of the law against stealing and against murder, and it appears to me that the argument built upon the lack of strict enforcement has the same force as when applied to any criminal law. I do not think that there is any force that could induce Kansas to go back to the open saloon.—**S. E. Price, President of Ottawa University, Ottawa, Kansas.**

I do not know how to make a reply concerning the situation as to prohibition. I have no idea what our faculty and students think. I happen to know that there is a difference of opinion as I engage in conversation both with students and faculty. That same difference in opinion is found among citizens. There is no doubt about it that a large amount of clandestine work in the use of liquor has been going on because there was a good deal of profit in it. So long as men can make \$100 in the illicit sale of liquor and pay a fine of \$50 they will keep up the practice. The fact is that a great many otherwise respectable citizens seem to think it more or less creditable to engage in clandestine use of intoxicating liquors. It may be that this is a persistent effort to defeat the Constitution and the statutes by making them disreputable. As a matter of fact here in the University, the ques-

tion is not discussed any more than any other social and political question. No doubt there have been some violations in a quiet way, but they have not been so notorious as to become public.—W. O. Thompson, President, Ohio State University, Columbus, Ohio.

It is rather difficult to answer your question fully, I am sure that every member of our faculty and practically every one of our students is glad that the saloon has disappeared. There are possibly a few of our faculty and a considerably larger proportion of our students who regret that they cannot get liquor to drink when they want it. There is a little feeling that it was unwise to make prohibition so drastic and possibly this latter feeling is stronger than I apprehend. I am sure that among my acquaintances outside of the college there are many who greatly regret the severity of the present restrictions.

Occasionally, a few of our students get hold of some liquor, but since prohibition went into effect I think there have been no cases of drunkenness and where there has been some drinking it has been confined to a very few men, not over four or five at a time, and these occasions have been extremely rare. We do not have the trouble with drink here that many of the large eastern colleges do.—Charles S. Howe, President, Case School of Applied Science, Cleveland, Ohio.

I do not know of any way in which I could make any accurate answer in regard to the attitude of our faculty and students in regard to their thoughts on prohibition in theory and in fact.

The only comment that I can make is that which is based upon personal impression, rather than upon any scientific accumulation of data, which it would be difficult to secure.

My reluctant conviction is, however, that the code of the college can only be kept about so far in advance of the code of the social group from which the undergraduate body is drawn, and that, although there has probably never been so little use of liquor within the college as at the present time, the restraint is due wholly to an undergraduate sense of responsibility for the college name and not from any conviction in regard to the merits of the prohibition law. I am not sure what conclusion

should be drawn from this fact, but I am quite clear that unless the prohibition law becomes more effective in fact, and unless the spirit of lawlessness in the country at large becomes subdued and the violation of the law becomes less, neither Dartmouth nor any other college will be able permanently to maintain a condition largely contradictory to the social conditions with which the men are familiar in their home communities or in their social contacts outside the college.

In the last analysis, I think that the sentiment of the faculty and the undergraduate body on the subject of prohibition will not be very different from that of the constituency which makes up the better and more progressive communities representative of American life. My great concern for the college is that there seems to be no adequate support for the theory of the prohibition law which will enable it to be sufficiently observed in practice to make its results avoid the appearance of futility. In other words, I would prefer, if forced to the alternative, to have our men grow up with increased rather than lessened respect for the law, even if this involved some changed conditions in the prohibition requirements which make the law more possible of enforcement.—Ernest M. Hopkins, President, Dartmouth College, Hanover, New Hampshire.

Regarding the question, "What do the faculty and students of our institution and our acquaintance think of prohibition in theory and fact?" will say:

1. a. Theory. Theoretically, prohibition is built on a sound economic basis, namely the elimination of waste and material consumed in the manufacture of liquors, the time of laborers manufacturing the same, waste of capital invested in the production of the same and the wastage of human life as a result of the consumption of the same.

b. Theoretically, it is sound from the standpoint of the social worker, comprehending the law of the Nazarene that the strong should bear the infirmities of the weak and lifting the moral tone of community life to a higher level.

2. a. Fact. It is reducing the amount of liquors consumed.

b. It puts the liquor business under the ban so that young men do not consider it genteel to partake.

c. The elimination of the saloon removes the power of suggestion to the public mind.

d. It reduces crime.

e. It works.

Count on us for any help we may be able to give.—**Frank E. Mossman, President, Morningside College, Sioux City, Iowa.**

I would say that all our faculty and at least 99 per cent of our students believe that national prohibition is desirable, judged from the standpoint of public welfare, and that it is working as well as can be expected considering that the habits of a people are perhaps the most difficult of matters for law to deal with. It is their belief that the majority of public opinion is behind the present law and that it will become increasingly effective, producing in the next generation a people practically free from the waste and degradation that has always accompanied the use of strong drink. Our student body is practically free from the use of intoxicating liquor.—**Samuel Plantz, President, Lawrence College, Appleton, Wisconsin.**

I hear on various sides the statement that prohibition is a failure: that conditions are worse than ever before and the like. On the contrary, I have read with great satisfaction an article in the Sunday Times in January by a man who was appointed from England to investigate conditions throughout the United States. As you know, the Times is not for Prohibition and the writer of that article is not an advocate of prohibition. He goes into details which show that conditions are far better than the liquor propaganda seeks to indicate. That is my own conviction.

I find that some good men are misled by liquor propaganda and are expressing the idea that prohibition tends toward lawlessness. However, the liquor business has been nothing but lawless as long as I can remember.

The same forces which have brought about the Constitutional Amendment will fight through to the enforcement of that article of the Constitution and the laws which support it. No one need suppose that the enormous weight of sentiment which carried the amendment through forty-five states will fail to carry this enterprise through successfully.—**William Lowe Bryan, President, Indiana University, Bloomington, Indiana.**

Prohibiting the manufacture and sale of intoxicating liquors in the the United States may have been due in large measure to the industrial concern of manufacturers and employers over the effects of liquor upon efficiency of employees; but to a degree it rests upon ethical grounds. The American students, by their unceasing agitation in public speech and press, made popular opinion along both industrial and ethical lines. Their efforts had unquestionable influence.

Students realize that no law can be enforced beyond the willingness of the people to obey the law. Millions of people did not favor the abolition of slavery and it died out slowly under forms like compulsory labor and the like. It will take some time for the sentiment of all the people to be in favor of obeying the law abolishing liquors. College students as a body will help to enforce it as they helped to secure it.—**Edwin E. Sparks, President Emeritus. Pennsylvania State College, State College, Pennsylvania.**

I find it extremely difficult to answer your letter of the 3rd inst. I should say that a majority of our faculty and students believe, in theory, in prohibition. We do not yet see that there is a very great deal of difference in the actual amount of drinking done since the passage of the constitutional amendment making for national prohibition. We have always had prohibition in Maine, spasmodically enforced. At the present time the situation in colleges it seems to me is very difficult, because the price of good liquor is so exorbitant that no undergraduate ought to purchase it, and bad liquor is very dangerous to health. Here at Bowdoin I should say there is a slight improvement possibly since the introduction of national prohibition but by no means an abolition of all drinking.—**Kenneth C. M. Mills, President, Bowdoin College, Brunswick, Maine.**

I have had the situation regarding the sentiment in respect to Prohibition in Macalaster College canvassed rather thoroughly. The verdict, rendered by the institution, both faculty and students, is favorable to Prohibition in theory and in fact. We believe that the law is a good one and since it is a law that all efforts possible should be made to enforce it.—**Elmer Allen Bess, President, Macalester College, St. Paul, Minnesota.**

I regret that I am not informed as to the opinion of the faculty and students of the Georgia School of Technology concerning prohibition in theory and fact. Personally, I strongly favor prohibition, and think the need for its enforcement is greater than ever before. As a citizen and as a teacher I strongly favor the rigid enforcement of the existing law, and in my judgment a great majority of our citizens are in accord with this sentiment.— K. G. Matheson, President, Georgia School of Technology, Atlanta, Georgia.

I have your letter of March 3 inquiring as to the opinion of the faculty and students of Vanderbilt University regarding prohibition both as a theory and as a fact. I recognize the right of your association to make an investigation of this kind, and for that reason only do I reply. I would not feel like making any answer to an inquiry of this kind from a less responsible source.

My first observation is that no referendum has been taken in this institution on this subject, and no one is, therefore, authorized to say what the faculty and students think. All that I can do is to give you my individual judgment. That I will do under just a few heads briefly developed.

(1) College sentiment here as elsewhere generally favors prohibition as a theory, but many thoughtful people fail to sympathize with the present enactments of the United States on this question. This is a long story and you are familiar with every phase of the question. It is enough to say that there are many students who believe in prohibition who do not believe in the wisdom of our present enactments.

(2) The opinion of most colleges regarding prohibition as a fact is that there is no such fact. It is a matter of common and universal knowledge that the present laws are not enforced and most people think they cannot be enforced. Others think that these laws may be obeyed in some remote time in the future after education has done its work. The opinion of these men is that the task of prohibitionists today is not different from what it has been in all past years, namely, to build up a sentiment opposed to drinking.

(3) Student sentiment does not regard the violation of the present prohibition law as any great offense. They apply toward

these laws the same principle that they apply to many of the regulations of school, which is that the existence of the regulation is an invitation to a student to violate it.

(4) Because of these facts the problem of dealing with drinking and drunkenness among students has not in any degree been lessened by present prohibition laws. I am personally of the opinion that these problems are even more difficult and more acute than they were before the passage of national prohibition. I presume every college that is trying to assume responsibility for the moral conduct of the students is finding the greatest possible difficulty in handling this question. If through your investigation you can make our task easier or render our labors more successful, you will merit the abiding gratitude of all college administrative officers.—J. H. Kirkland, President, Vanderbilt University, Nashville. Tenn.

The faculty and students of Mercer University are unanimous in their approval of Prohibition, both in theory and in fact. The law is being enforced better with each passing month. The reaction following the war resulted in an increase of violations of the Volstead act, but these violations are now being limited to the worst element in the so-called upper classes and the worst elements in the lower classes.—Rufus W. Weaver, President, Mercer University, Macon, Georgia.

I do not know that it is profitable to discuss the theory of prohibition. It is beginning to be a fact and is more of a fact as time continues. There isn't any question but that college administration is easier under present conditions. The drink problem in student life has almost disappeared and will soon be a thing of the past. Having been for many years in active work with students, I can say without hesitation that the benefits of prohibition to American colleges and universities have been great.

Lest I should be misunderstood I want to add that the problem has not entirely disappeared, but with continued vigilance it will appear and that will be a blessing.—H. M. Gage, President, Coe College, Cedar Rapids, Iowa.

I find myself unable to answer satisfactorily your inquiry

about the opinion of the faculty and students of this college on prohibition in theory and fact. There has been no occasion to draw out an expression of opinion either from the faculty or from our students.

I am, however, justified in saying that we have an overwhelming sentiment in favor of law and order, including respect for the national prohibition legislation.—**C. A. Duniway, President, Colorado College, Colorado Springs, Colorado.**

I am on leave of absence from president's office this year and in any case I think that I could hardly attempt to express the thought of the faculty and students of Rutgers College concerning prohibition in theory and fact. I can only say for myself that prohibition seems to me entirely right in theory and entirely right in enactment in view of existing conditions and the desired welfare of society. Its enactment I have not the slightest doubt will stand and obedience to it in due time become well established. The thing most to be regretted at the present moment is the attitude of many excellent citizens in more or less condoning disregard of law and assisting to spread the idea that prohibition enactment, rather than lawlessness, is the cause of the evils now afflicting us.—**W. H. Demarest, President, Rutgers College, New Brunswick, New Jersey.**

The result of the prohibition years is a clear demonstration that both in "theory and in fact" it is working well from a university standpoint. The whole problem of discipline has been both simplified and lessened; the morale of student bodies has been improved and the number of men dropped because of misconduct greatly reduced. What is true of the university is also true of the community in almost as marked a degree. Even lax enforcement of the law cannot obscure its value. I am very confident that a large percentage of my colleagues upon the faculty would subscribe to these statements.—**Stanley Coulter, Acting Chairman of the Faculty, Purdue University, Lafayette, Indiana.**

As you, of course, know, prohibition in Oregon was voted by the people some time before the Volstead act was passed by Congress. Under a state option law, Benton county, in which we are located, had been "dry" for a number of years prior to the

time when prohibition was adopted by the state. In fact, it has been some twenty years since saloons were voted out in this county.

There is no division of sentiment among the members of the faculty on the question of prohibition, either in theory or fact. The student body, numbering upwards of 3,800, also accepts it as a matter of course and so far as I know, there is no sentiment among students against prohibition. So far as we are concerned, prohibition is no experiment; it is an established fact. to go back to the open saloon would be regarded as a calamity. —W. J. Kerr, President, Oregon Agricultural College, Corvallis, Oregon.

North Dakota has always been a prohibition state and her people are generally, if not almost unanimously, in favor of Prohibition. I am sure that the teachers and students of this institution and all the state institutions generally, are in hearty sympathy with the eighteenth amendment and wish to see the Volstead law enforced as thoroughly and as efficiently as possible. Teachers and students have no sympathy with the idea that because the law is violated by a few people, it should be repealed.—C. A. Allen, President, State Teachers College, Valley City, North Dakota.

(Excerpt from letter read before the Committee on Legal Affairs, February 17, 1922.)

In the first place I reiterate what I said nearly a year ago before the then Committee on Legal Affairs as follows: Let Massachusetts at once take her whole share in putting into execution these prohibitory measures, which are sure to promote public health, public happiness, and industrial efficiency throughout the country, and to eliminate the chief causes of poverty, crime and misery among our people.

During the year which has elapsed, evidence has accumulated on every hand that Prohibition has promoted all over the country public health, public happiness, and industrial efficiency. This evidence comes from manufacturers, physicians, nurses of all sorts, school, factory, hospital and district, and from social workers of many races and religions laboring daily in a great variety of fields. This testimony also demonstrates beyond a

doubt that Prohibition is actually sapping the terrible force of disease, poverty, crime and vice. These results are obtained in spite of the imperfect enforcement in some communities of the Eighteenth Amendment to the Federal Constitution.

The Eighteenth Amendment was adopted by an immense majority of the American people, because millions of voters became convinced somewhat suddenly that alcoholism was the chief factor in the deterioration of the white race which had been going on ever since distilled liquors became cheap, some three centuries ago. The people came to see clearly that alcoholism and prostitution will ruin our race, unless they are successfully resisted, because that physical ruin is apt to be passed down from generation to generation.—Charles William Eliot, President Emeritus of Harvard University.

BISHOPS OF THE METHODIST EPISCOPAL CHURCH

The Bishops of the Methodist Episcopal Church, in session at Indianapolis, adopted the following statement:

The Bishops of the Methodist Episcopal Church have noted the present discussion of the Volstead act and of the Eighteenth Amendment to our Constitution. Such discussion was to be expected. Ingenuity would be exhausted to discover or invent reasons for the repeal of the laws. Allowing that all the results anticipated have not been realized, that fact lies not against the law but against those who have failed in its enforcement and against those who have encouraged the betrayal of administrative trust. When all has been said, the accomplishment in the writing of these particular laws makes the greatest chapter in America's history of moral reform. It has attracted the attention of the world. It has given to our industrial life an advantage recognized by economists everywhere.

The relation of the drink traffic to crime has long been familiar. We need to see that the disrespectful treatment of prohibitory laws is not a mere academic impropriety. The great objectives of civilization can not be gained where lawlessness goes unpunished and unrebuked. Mob violence is today a menace which demands most careful thought and wisest treatment. The ability to suppress or prevent disorder which jeopardizes the

rights of property and life is one of the ultimate tests of civilization.

Obedience to law is not an elective to be rendered or refused on the basis of individual or group choice. This we believe. But it is inconsistent to inveigh against the spirit of lawlessness in other fields if in our attitude toward prohibitory enactment we encourage contempt of law. Those who make public opinion must be held accountable for the total result when inconsiderate criticism of laws induces insult to laws. The press of this country must be made to see its responsibility inescapable if its persistent caricature of so-called temperance laws lead the immature to believe that law itself belongs really and only in the comic supplement.

Where present legislation seems inadequate, let it be perfected. Where the law is ineffectual, find the cause and, as quickly as may be, remedy it. Let us insist upon it that those who are sworn to uphold the Constitution deal with occasion not as propagandists of personal judgment but as defenders of the law.

Let us choose for office those only who have by word or act established their right of recognition as the friends of prohibitory reform, and saying this, we would record appreciation of the help given to this cause by the President of the United States and by the Chief Justice and we would pay tribute to those in the House of Representatives and in the Senate of the United States and to those in other places of public trust who have taken and held their place on the side of national morality.

For the sake of the nation and the world, in the interest of industrial prosperity as of peace and order, for the promotion of all the ends of education and religion, we accept for ourselves and urge upon all our people the solemn obligation to guard sacredly the results already gained and to complete the work upon which so many lovers of mankind have wrought anticipating with confidence the day when, despite the cupidity of some and the treasonable intrigue of others, the life of the nation shall be lifted to the level of its laws.—**Luther B. Wilson**, Secretary.

By the Board of Bishops of the Methodist Episcopal Church, Indianapolis, Ind., June 24, 1922.

FROM BISHOP EDWIN S. LINES

(From an address before the Protestant Episcopal Convention of the Diocese of Newark, on May 16, 1922.)

Referring to the Prohibition amendment Bishop Lines said:

It was adopted as other amendments have been adopted and it is binding upon us until repealed as the Constitution itself requires. They are not worthy of respect who would repeal the laws which enforce a part of the fundamental law of the land. We all know that many officials tell us that the laws can not be enforced while they do not seriously endeavor to execute them. I quite appreciate the difference of opinion both as regards the wisdom of placing this subject in the Constitution and as regards some of the methods used to enforce it. But the trade in strong drink with its disregard of fair regulation, its corruption of our political life, its destruction of what is best in human life, has received what it deserved and drawn its punishment upon itself.

Much of the talk about the restriction of personal liberty is unworthy of respect. The talk of many people living in luxury in great houses with more than their share of the world's good things, about the wrong done to the poor by Prohibition is ridiculous. The gulf between the privileged and unprivileged must be bridged in some other way than by common freedom to obtain strong drink.

BISHOP WILLIAM LAWRENCE

(From a report made by Bishop William Lawrence of the Episcopal Diocese of Massachusetts, to the Diocesan Convention in Boston, May 4, 1922.)

Jealousy for the practical integrity of the constitution was what led many citizens to oppose this amendment. The fact is however, that the constitutional amendment stands; and it has been carried through by the same constitutional steps as preserve our liberties. Every local citizen is bound to stand by it; and in my judgment every loyal citizen is bound to support such state laws as will insure its enforcement.

Beyond this plan duty as citizens, what reasons have we to be confident that this great experiment will succeed, and that the whole of the American people will in time agree that the

prohibition of intoxicating drink is, with all its limitations of personal liberty, worth while?

First, and most obviously, the competition in industry and of industrial nations with other industrial nations is going to be very keen, and the people which waste most in brains, physical strength and character will go to the wall first. Every employer of labor knows that the men who drink are in the long run less efficient than those who do not drink.

Experience in the army and navy proves it in endurance and fighting tests. The directors of railroads, mines and factories, the officers of banks and business enterprises know this. . . .

This principle of industrial efficiency is of course based upon laws or habits of nations revealed to us in the last fifty years by science. . . .

Every intelligent man today knows, or may know, that for even moderate drinkers the curve, be it ever so slight, is never upwards—always downwards. And further, the reactions affect the judgment, the intellectual perspective and the power to discriminate between right and wrong, the very foundation of character.

We in these days believe in the inerrancy of facts which science, when it has tested them out, brings us; and we know that these facts bring results as sure as fate. The nation which completely stops drinking intoxicating liquors has thrown off one of the heaviest weights in the race for industrial leadership. . . .

The practical universal testimony of the men and women who touch most closely thousands on thousands of people whose conditions tempt them to the abuse of intoxicating drinks is that there is an immense improvement all along the line. Here and there there may be a local or temporary reaction; but the multitude of wives and husbands, too, and children that are the happier and healthier for prohibition, the decrease of numbers of arrests for drunkenness, of inmates of jails and poorhouses, the gratitude that goes up from thousands of homes of the people of moderate means and the well-to-do that one or another member of the family has stopped drinking and gone to work is enough. One would think, to touch the heart of anyone.

I need not speak of the relief from taxation in the support of public institutions—a taxation which will steadily decrease,

for with the enforcement of prohibition there will be fewer feeble-minded, fewer insane, fewer cripples, fewer congenitally diseased, fewer with abnormal habits, fewer with criminal tendencies; and this taxation like all taxes, falls in the end not upon the well-to-do, but upon the whole people, especially the wage earners.

How can any Christian man or woman, anyone with consideration for others, continue an indulgence which he may even think harmless, when by his abstention he may help others? And even if he thinks it makes no difference, how can he be happy in taking the chance? Is his pleasure or even his sense of liberty worth the risk?

However, with the fact settled that constitutional prohibition is here, all loyal citizens will give it support. And if we do our part, we may be confident that education in health and efficiency, of economics and industrial leadership will in time bring universal acquiescence.

BISHOP ROBERT L. PADDOCK

Our church here, like all others; every lodge, labor union and other organization, stands 100 per cent behind this federal amendment and the whole Constitution. No one could conceive of our doing otherwise. Religion, morality, intelligence, business—every good cause has been furthered. Some day, my native town, New York, where I spent all my ministry before coming to this frontier, will be civilized enough to fight for it also.—Robert L. Paddock, Bishop of the Protestant Episcopal Diocese of Eastern Oregon.

HONORABLE RICHARD J. HOPKINS

(Former Attorney General of the State of Kansas, now member of the State Supreme Court.)

The advantages of prohibition on the general welfare of the people have been so marked that public sentiment has continued to grow in favor of strict prohibition. It is safe to say that ninety-five per cent of the people favor it. With this public sentiment and the cooperation of all officials, peace officers especially sheriffs, and the police we hope for the ultimate extinction of all liquor violations. Kansas now as at no other time has its full heart and soul set against the liquor traffic.

The prohibition laws, in my opinion, attest the moral and religious progress of the human race. If drunkenness has added any moral help to mankind, the proof has never been produced. The liquor traffic does not create wealth. The liquor interests have always been on the wrong side of every public question. They have always been opposed to civilizing and decent influences. Their influence kept the saloon on all of the best corners during the days of our fathers, but those days have passed. Prohibition is not here on a visit; it has come to stay and wise men will so perceive and act accordingly.

Intemperance has been the greatest curse to the human family since the early years of history. One of the great mysteries is that a civilized people would permit it to continue so long.

Prohibition in Kansas greatly reduced the number of criminal cases. It reduced the number of people in jails and penitentiaries, the paupers in county houses and insane asylums. It increased school attendance. There are thousands of youths in Kansas who never saw a whisky saloon.

The splendid conditions that have come about in this state through prohibition should be brought about in all the civilized countries of the world. The betterment of world civilization and human welfare demand prohibition—**Richard J. Hopkins, (Former Attorney General of the State of Kansas, now member of the State Supreme Court.)**

JOHN WANAMAKER

(Statement made a short time before his death, in 1922.)

An expression of opinion has been requested from me in regard to the enforcement of the Eighteenth Amendment.

There can be no real difference of opinion regarding the necessity for the enforcement of this law, as well as any other law that has been placed upon the statute books of the nation. To enforce one and not another is to breed disrespect for all law and weakens the whole fabric of our government.

The Prohibition Amendment was adopted in the manner prescribed by our Constitution. It was not a hurried proceeding, or taken upon snap judgment, but was long foreshadowed by the Prohibition legislation enacted by the various states.

It was peculiarly fitting that Prohibition should have come previous to the amendment giving suffrage to the women, who

are now our real partners in life. What a humiliation it would have been to have invited our mothers, wives and daughters to cast their votes in saloons, as was so often the case, and in an atmosphere of liquor and drunkenness.

Personally, I believe in Prohibition, because in a long experience I have seen the evil and degrading effects of the liquor traffic, and do not believe that it can be safely played with any more than can dope or dynamite.

I do not think that the American people will ever want to go back to the old regime, but if there are those who think otherwise, the same orderly procedure is open to them that took place in enacting the Prohibition Amendment.

I write this in no spirit of censoriousness, but what I conscientiously feel and believe to be for the greatest good and happiness of our common heritage.—John Wanamaker.

BERNARD SHAW

(Reported by the New York Herald London Bureau, Feb. 11, 1922.)

Prohibition will not be an election issue in the future because it will be assumed that any person who differs from it will be ruled out either as a lunatic or a criminal. . . .

You have had an early stage of society that tolerated murder. There was once a great deal of private choice about it but there isn't now. Already the sale of gin has been restricted considerably. Once one could get drunk on gin for a penny, dead drunk for two pence. Does even the most enthusiastic advocate of personal liberty wish to go back to that?—Bernard Shaw.

MRS. HARRIET TAYLOR UPTON

It is remarkable that there should be a question about the enforcement of the laws applying to the Prohibition Amendment. A law is a law and all good citizens should abide by law. In a republic people make their own laws and the majority rules. If laws touch us personally, if they affect our property, or what we may think to be our rights, it gives no privilege to break them. The law-abiding citizen is the hope of the republic. This is true of all laws and of course it applies to Prohibition as well as to anything else.

I am and always have been in favor of anything which would

modify, curb or prohibit traffic in liquor. Believing in temperance in the highest sense and in the enforcement of any law, how could I think else than that all laws pertaining to Prohibition should be enforced?—Mrs. Harriet Taylor Upton, Vice Chairman of the Executive Committee of the Republican National Committee.

DOCTOR W. W. KEEN

Prohibition has brought about less drunkenness in this country, less poverty, less crime, fewer accidents and lesser expenses to the city and state as well as a betterment of standards of health and living. Alcohol has been the principal root of infractions of the law and of accidents. Alcohol is the most powerful and frequent source of immorality and venereal disease.—W. W. Keen, M. D., Philadelphia, Pa.

JOHN M. YOUNG

(PRESIDENT, SWEET'S STEEL COMPANY)

Anything that has been said in favor of Prohibition in days gone by, in my judgment, has been fully confirmed by the experience through which we are now passing. While there may be drawbacks in a general way (which I am disposed to think are magnified to the fullest extent that the conditions will allow), as far as the concrete results coming under my observation as a manufacturer, they are all to the good. We have less lost time, fewer accidents and greatly improved social conditions in the families of our employees and their environments. The best results of radical changes such as this are brought about by evolution, rather than revolution, and I look for an improving condition as the years go by.—John M. Young, President, Sweet's Steel Company, Williamsport, Pa.

J. W. MARSH

(PRESIDENT, STANDARD UNDERGROUND CABLE CO.)

My observation of the effect of Prohibition has been that it is an incalculable economic and moral blessing to millions of our people, and to the nation as a whole. There is far less drunkenness and waste of time and money, there is greater steadiness among laborers, more saving of money, better care of the homes

and women and children of the men who formerly spent freely for drink.

No conscientious man would vote to bring the liquor traffic back, and I am sure that there are very many men who are not Prohibitionists themselves, but who would nevertheless vote against the repeal of the Prohibition laws because they have observed and recognized the great benefits that such laws have brought to our people.—J. W. Marsh, President Standard Underground Cable Co., Pittsburgh, Pa.

DOCTOR HOWARD A. KELLY

My daily life brings me into constant close touch with doctors from all parts of our country and Canada and the testimony virtually universal is that the benefits of Prohibition are everywhere manifest even with an imperfect and often half-hearted law enforcement. I have not changed my views, therefore, that the events of these several years have demonstrated the greatest criminals of our nation, the organizers and inspirers of crime, the determined foes of society and its legitimate authority, the insidious debauchers of the agents of the Department of Justice, are not the drunkards (God pity them!) nor yet the saloons, those club-houses of the criminal classes and of corrupt politics. The greatest foes of our government are some brewers and distillers who inspire law-violating propaganda in order to dishonor the nation that they may fill their pockets with gold.

As touching my own profession, the best sentiment of educated physicians is against the use of liquor as a medicament and sturdily against the reintroduction of light wine and beer.—Howard A. Kelly, M. D., Baltimore, Md.

HENRY FORD

I have always been opposed to all forms of intoxicants. Beer, wine, and liquor never did any one any good and they have caused great suffering and misery in the world. So far as our plants are concerned we're going to stamp out this business. If the government hasn't enough men to do it we have. And this should be a warning to those making intoxicants and selling them to our men—and to our men themselves that we will not tolerate present conditions longer.—Henry Ford.

Production and Consumption of Intoxicating Liquors in the United States

INTERNAL REVENUE RECEIPTS ON INTOXICATING LIQUORS

The following table shows the receipts by the United States government on intoxicating liquors for the two fiscal years ended June 30, 1921 and June 30, 1922, respectively:

Intoxicating Liquors	Fiscal Year Ended June 30, 1921	Fiscal Year Ended June 30, 1922	Decrease
Distilled spirits:			
Distilled spirits (non-beverage)	\$78,097,756.93	\$42,259,351.63	— \$35,838,405.30
Distilled spirits (beverage)	373,736.33	113,103.61	— 260,632.72
Rectified spirits or wines	28,587.14	19,192.52	— 9,394.62
Still or sparkling wines, cordials, etc.	2,001,779.87	1,306,249.72	— 695,530.15
Grape brandy used in fortifying sweet wines	578,628.32	1,115,646.83	+ 537,018.51
Rectifiers, retail and wholesale dealers, manufacturers of stills, etc. (special taxes)	687,519.30	543,248.66	— 144,270.64
Stamps for distilled spirits intended for export	7,566.89	2,049.45	— 5,517.44
Case stamps for distilled spirits bottled in bond	209,368.25	68,856.00	— 140,512.25
Misc. collections relating to distilled spirits	613,121.98	135,652.05	— 477,469.93
Total	\$82,598,065.01	\$45,563,350.47	— \$37,034,714.54
Fermented liquors:			
Fermented liquors (barrel tax)	17,133.65	35,239.63	+ 18,105.98
Brewers; retail and wholesale dealers in malt liquors (special taxes)	8,230.17	10,846.37	+ 2,616.20
Total	25,363.82	46,086.00	+ 20,722.18
+ Increase.			

REVENUE TAXES FOR THE FISCAL YEAR 1922 AND THE LAST SEVEN PRECEDING YEARS

Sources	1922	1921	1920	1919
Distilled spirits, including wines, etc.	\$ 45,563,350.47	\$ 82,598,065.01	\$ 97,905,275.71	\$365,211,252.26
Fermented liquors	46,086.00	25,363.82	41,965,874.09	117,839,602.21
Total receipts .	\$ 45,609,436.47	\$ 82,623,428.83	\$139,871,149.80	\$483,050,854.47

Sources	1918	1917	1916	1915
Distilled spirits, including wines, etc.	\$317,553,687.33	\$192,111,318.81	\$158,682,439.53	\$144,619,699.37
Fermented liquors	126,285,857.65	91,897,193.81	88,771,103.99	79,328,946.72
Total receipts	\$443,839,544.98	\$284,008,512.62	\$247,453,543.52	\$223,948,646.09

PRODUCTION OF INTOXICATING LIQUORS IN THE UNITED STATES

Statistics of the Liquor Manufacturing Industry in the United States for the
Year 1919 as Compared with 1914
(From U. S. Census of Manufactures)

	Year	Number of Establishments	Number of Wage Earners	Capital	Wages	Cost of Materials	Value of Products
Liquors, distilled	{ 1919 1914	{ 34 434	{ 1,380 6,295	{ \$ 45,618,110 91,285,028	{ \$ 1,716,699 3,994,469	{ \$ 19,655,522 40,996,781	{ \$ 31,854,085 206,778,708
Liquors, malt	{ 1919 1914	{ 729 1,250	{ 34,259 62,070	{ 583,429,947 792,913,659	{ 45,170,432 53,243,743	{ 94,792,659 129,724,396	{ 379,905,085 442,148,597
Liquors, vinous	{ 1919 1914	{ 342 318	{ 1,011 2,292	{ 14,855,481 31,516,366	{ 1,013,898 1,194,433	{ 8,115,841 9,489,428	{ 17,454,194 16,618,378
Total	{ 1919 1914	{ 1,105 2,002	{ 36,650 70,657	{ 643,903,538 915,715,053	{ 47,901,029 58,432,645	{ 122,564,022 180,210,605	{ 429,213,364 665,545,683

The following articles and tables are taken from the Report of the Commissioner of Internal Revenue for the fiscal year ended June 30, 1922:—

PERMIT DIVISION

The functions of the permit division are as follows: The issuance of permits for use of intoxicating liquor under the national prohibition act, including the importation and exportation of the same (the division does not issue permits to transport liquor or to prescribe liquor); the passing upon all nonbeverage bonds submitted in support of nonbeverage permits under the national prohibition act to ascertain whether bonds are properly executed, the renewal of all nonbeverage permits which have been outstanding for one year; establishing standards for medicinal preparations, toilet preparations and extracts.

A new section was created in this division in January, 1922, for the purpose of checking the withdrawals, as shown on Forms 1410-A, with the amount allowed on the basic permits. Any irregularities found by such checking are immediately taken up with the proper authorities.

Special hearings in numerous revocation proceedings in Illinois, Ohio and New York, and investigations of applicants for basic permits, were conducted by this division during the year. The number of bonds executed during the year was 60,147.

The following table shows the number and classes of permits issued during the fiscal year:

	Renewals	New
A permits, to manufacture	493	551
B permits, wholesale druggists, bonded warehouses, free warehouses, storage warehouses	259	427
C permits, to transport (issued and renewed by State Prohibition directors)	1,314	.....
Special transport .....	.....	35
D permits, to import and use	2	4
E permits, to import and sell	20	31
F permits, to export	32	50
G permits, to export and sell .....	.....	.....
H permits, to use (intoxicating liquors for manufacturing purposes)	43,092	21,247
I permits, to use and sell	12,401	6,097
J permits, to prescribe (issued and renewed by State Prohibition directors)	44,346	.....
K permits, to manufacture vinegar and to produce intoxicating liquor for conversion into same	277	192
L permits, to operate dealcoholizing plants	245	177
N permits, to procure alcoholic preparations	63	37
R permits, to produce mash for the purpose of producing yeast, after which residue is to be destroyed ....	.....	2
Permits revoked		159
Renewal applications disapproved		2,061
New applications disapproved		2,018
Permits canceled, superseded, surrendered, and recalled		3,673
Active permits issued in Washington, D. C.		85,734
Total outstanding permits, including those issued by State Prohibition directors		131,394

The number of nonbeverage cases involving permit violations has materially increased during the past year, and criminal prosecutions have been successfully maintained against numerous permit holders. This is a result of a more rigid enforcement rather than increased violations on the part of permit holders.

Initial steps have been taken to recover on forfeited bonds of permittees to the extent of \$3,500,000.

Upon the issuance of Prohibition Mimeograph 201, dated

August 9, 1921, a decided improvement in the brewery situation was brought about. Since that date criminal informations, indictments, injunctions, libels, and search warrants in brewery cases, with all the necessary supporting affidavits, are prepared in this unit and filed through the Department of Justice. This policy has proved invaluable as a weapon in the proper enforcement of the law. By means of this active assistance and cooperation the various United States attorneys are enabled to make much progress in the trials of cases, with a resulting decrease in the number of cases on their overcrowded court dockets, as such procedure eliminates the gathering of evidence and the preparing of the necessary legal papers by them. Before the adoption of the policy above mentioned at least 40 per cent of the brewers who were detected violating the law were reported for a second offense. In approximately 50 cases handled under the new policy only 2 companies have violated the law a second time.

While the number of reports in brewery cases have also increased during the past year, this does not indicate a disregard of the law, but a more vigorous investigation of the activities of violators. There are also several large wine cases pending.

There are approximately 500 cereal-beverage manufacturing plants in the United States. Over 200 of these plants have been reported during the past 12 months for violations of law. Approximately 125 of them have been placed under seizure. Approximately 75 of such companies have settled their civil liabilities by compromise where the case arose prior to August 8, 1921. Those arising subsequent to said date were settled by a compromise of their civil liabilities after a plea of guilty to the criminal information filed against them. The unit has refused to issue permits to some 48 brewers who have violated the law under permits previously issued.

INDUSTRIAL ALCOHOL SECTION

The work of this section, which administers Regulations No. 61, drawn under Title III of the national prohibition act, has changed very little in character during the year, with the exception of the transfer of the work pertaining to the 90-day tax-paid alcohol permits to the Permit Division.

At the close of the last fiscal year there were 73 industrial alcohol plants, 78 bonded warehouses, and 74 denaturing plants

qualified to operate for the production, storage, and denaturation of alcohol respectively, under Title III of the national prohibition act. During the year 9 industrial alcohol plants, 10 bonded warehouses, and 12 denaturing plants were established, while 6 industrial alcohol plants, 8 bonded warehouses, and 3 denaturing plants were discontinued, resulting in a comparatively small net increase over the number qualified on June 30, 1921. For the production of distilled spirits for nonbeverage purposes, other than alcohol, there were operated during the year 2 grain distilleries, 2 rum distilleries, and 33 fruit distilleries.

Under Title III of the national prohibition act 3,297 permits for withdrawal of tax-free alcohol were issued during the fiscal year ended June 30, 1922, compared with 3,053 such permits issued during the fiscal year ended June 30, 1921. There were also issued 26 permits covering tax-free withdrawals of spirits, other than alcohol, by the United States under section 3464 of the Revised Statutes.

The number of bonded manufacturers using specially denatured alcohol at the end of the fiscal year 1922 was 3,287, compared with 1,761 such manufacturers at the end of the fiscal year 1921. The increase of 1,526 was due to the qualification of many permittees heretofore using pure alcohol. During the same period of time 67 permits to use specially denatured alcohol were revoked.

DISTILLED SPIRITS

During the fiscal year ended June 30, 1922, there were produced 79,906,101.51 proof gallons of alcohol, a decrease of 5,162,674.82 proof gallons compared with the quantity produced during the preceding fiscal year.

There were withdrawn from warehouse on payment of tax 16,363,301.85 proof gallons of alcohol, and there were withdrawn for tax-free purposes, including withdrawals for denaturation, for export, and for use of the United States, hospitals, laboratories, colleges, and other educational institutions, a total of 63,147,767.22 proof gallons of alcohol.

There were withdrawn, tax paid, from distillery, general and special bonded warehouses 2,724,363.4 taxable gallons of distilled spirits (including brandy) other than alcohol, a decrease of 6,352,782.1 gallons compared with the quantity withdrawn tax paid during the preceding year.

The act making appropriations for the Treasury Department for the fiscal year ending June 30, 1923, contains a provision giving the Commissioner of Internal Revenue authority to concentrate into a small number of warehouses all distilled spirits at present stored in distillery, general and special bonded warehouses, and provides that distilled spirits may be bottled in bond in any internal revenue bonded warehouse before tax payment as well as after tax payment. Regulations have been issued pursuant to this provision of law which will effect a large saving in money and render the spirits more secure from loss by theft, casualty, leakage, and evaporation, and will materially assist the department in preventing withdrawals on fraudulent permits.

Effective July 1, 1922, only one set of reports and accounts were required for distillery, general and special bonded warehouses, instead of three sets as heretofore required. This will effect a large saving in the number of forms to be handled and will cause a corresponding reduction in the number of clerks.

CEREAL BEVERAGES

During the fiscal year ended June 30, 1922, there were 550 dealcoholizing plants in operation, compared with 454 such plants in operation during the preceding year. There were 196,781,781 gallons of cereal beverages produced during the past year, a decrease of 89,044,049 gallons under the quantity produced during the preceding year.

DENATURED ALCOHOL

During the fiscal year 1922 there were withdrawn from bond, free of tax, for denaturation 59,549,919.6 proof gallons of alcohol and rum, against 38,812,138.7 proof gallons withdrawn for this purpose during the previous year.

There were 33,345,747.91 wine gallons of denatured alcohol produced during the past fiscal year, of which 16,193,523.60 wine gallons were completely denatured and 17,152,224.31 wine gallons were specially denatured, compared with 22,388,824.92 wine gallons of denatured alcohol produced during the previous fiscal year, of which 12,392,595.02 wine gallons were completely denatured and 9,996,229.90 wine gallons were specially denatured.

WINES AND CORDIALS

Revenue from taxes on wines and cordials during the fiscal year 1922 amounted to \$1,306,249.72 compared with \$2,001,779.87

in 1921, \$4,017,596.82 in 1920, \$10,521,609.14 in 1919, \$9,124,368.56 in 1918, and \$5,164,075.03 in 1917.

The total production of wine amounted to 5,827,917.90 gallons during the fiscal year ended June 30, 1922. Of this quantity of wine 2,791,971.50 gallons, having not over 14 per cent acloholic content, were fortified with brandy, and 3,194,516.81 gallons of sweet wines were produced therefrom, of which 5,127.18 gallons had not over 14 per cent, 3,127,395.75 had over 14 but not over 21 per cent, and 61,993.88 gallons over 21 but not over 24 per cent alcoholic content.

The quantity of wines removed on payment of tax for medicinal and sacramental purposes during the fiscal year amounted to 3,014,364.88 gallons, of which 1,170,164.13 gallons had not over 14 per cent and 1,844,200.75 gallons had over 14 but not over 21 per cent alcoholic content.

On June 30, 1922, there were 27,069,539.90 gallons of wine on hand at bonded wineries and storerooms, of which 19,105,926.30 gallons had not over 14 per cent, 7,941,364.60 gallons had over 14 but not over 21 per cent, and 22,249 gallons had over 21 but not over 24 per cent alcoholic content, compared with 27,604,898.76 gallons on hand June 30, 1921, of which 20,278,912.60 gallons had not over 14 per cent, 7,075,966.80 gallons had over 14 but not over 21 per cent, and 250,019.36 gallons had over 21 but not over 24 per cent alcoholic content.

NUMBER OF SPECIAL TAXPAYERS, FOR THE FISCAL YEAR
ENDED JUNE 30, 1922, BY COLLECTION DISTRICTS

Districts	Liquors						Manufacturers of stills
	Spirits			Malt			
	Rectifiers	Retail dealers	Wholesale dealers	Brewers	Retail dealers	Wholesale dealers	
Alabama	3	3	.....	.....	.....	.....
Alaska	2	.....	.....	.....	.....	.....
Arizona
Arkansas	6	1	.....	.....	.....	.....
1st California	857	21	.....	.....	.....	7
6th California	453	5	.....	.....	.....	3
Colorado	29	9	.....	28	8	1
Connecticut	1	268	54	.....	.....	.....	1

District of Columbia	.....	165	2	2	.....	.....	.....
Delaware	.....	2	2	.....	.....	.....	.....
Florida	.....	4	4	.....	.....	.....	.....
Georgia	.....	16	1	.....	.....	.....	.....
Hawaii	.....	10	1	.....	.....	.....	.....
Idaho	.....	.....	1	.....	.....	.....	.....
1st Illinois	14	1,686	68	4	.....	.....	1
8th Illinois	.....	305	4	.....	.....	.....	.....
Indiana	.....	7	6	.....	.....	.....	.....
Iowa	.....	75	7	.....	.....	.....	.....
Kansas	.....	5	3	.....	.....	.....	.....
Kentucky	.....	298	174	1	.....	.....	2
Louisiana	.....	141	4	.....	.....	.....	.....
Maine	.....	.....	.....	.....	.....	.....	.....
Maryland	1	275	27	4	.....	.....	1
Massachusetts	1	1,033	33	9	.....	2	1
1st Michigan	2	36	12	.....	.....	.....	.....
4th Michigan	.....	47	2	.....	.....	.....	.....
Minnesota	.....	351	11	2	.....	.....	.....
Mississippi	.....	6	.....	.....	.....	.....	.....
1st Missouri	1	429	16	1	1	1	2
6th Missouri	.....	389	15	.....	.....	.....	.....
Montana	.....	245	7	.....	.....	.....	.....
Nebraska	.....	5	6	.....	.....	.....	.....
Nevada	.....	2	.....	.....	.....	.....	.....
New Hampshire	.....	28	.....	.....	.....	.....	.....
1st New Jersey	.....	114	6	.....	.....	4	.....
5th New Jersey	1	557	22	2	.....	2	.....
New Mexico	.....	.....	.....	.....	.....	.....	.....
1st New York	.....	1,007	68	7	.....	5	.....
2d New York	8	777	216	.....	.....	.....	2
14th New York	1	589	27	.....	.....	.....	.....
21st New York	.....	145	3	.....	.....	.....	.....
28th New York	1	232	20	.....	.....	.....	6
North Carolina	.....	8	4	.....	.....	.....	.....
North Dakota	.....	.....	.....	.....	.....	.....	.....
1st Ohio	.....	127	17	.....	.....	.....	1
10th Ohio	.....	34	3	.....	.....	.....	.....
11th Ohio	.....	32	4	.....	.....	.....	.....
18th Ohio	.....	205	9	.....	.....	.....	.....
Oklahoma	.....	4	2	.....	.....	.....	.....
Oregon	.....	3	2	.....	.....	.....	.....
1st Pennsylvania	.....	1,244	52	7	6	7	5
12th Pennsylvania	.....	193	3	.....	.....	.....	.....
23d Pennsylvania	.....	590	33	5	.....	.....	.....
Rhode Island	.....	209	6	2	2	2	.....
South Carolina	.....	8	9	.....	.....	.....	.....
South Dakota	.....	2	1	.....	.....	.....	.....
Tennessee	.....	14	5	.....	.....	.....	.....
1st Texas	.....	40	1	.....	.....	.....	.....
2d Texas	.....	89	2	.....	.....	.....	.....
Utah	.....	2	1	.....	.....	.....	.....
Vermont	.....	33	2	.....	.....	.....	.....
Virginia	.....	93	9	.....	.....	.....	.....
Washington	.....	3	3	.....	.....	.....	.....
West Virginia	.....	8	3	.....	.....	.....	.....
Wisconsin	715	17	18	11
Wyoming	19
Total	31	14,274	1,049	64	37	42	33

INTERNAL REVENUE STATISTICS

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TOTAL PRODUCTION OF DISTILLED SPIRITS, FISCAL YEARS ENDED JUNE 30, 1913-1922

	Gallons
1913	193,606,258
1914	181,919,542
1915	140,656,103
1916	253,283,273
1917	286,085,463
1918	178,833,799
1919	100,778,540.6
1920	82,331,686.8
1921	87,896,450
1922*	2,257,195.4

*Distilled spirits except alcohol.

SPIRITS RECTIFIED, YEAR ENDED JUNE 30, 1922, BY STATES

Connecticut	4,802.7	Missouri	696.8
Maryland	5,181.0	New York	15,363.6
Massachusetts	29,253.0		
Michigan	201.9	Total	55,499.0

PRODUCTION OF LIQUIDS CONTAINING ONE-HALF OF ONE PER CENT OR MORE OF ALCOHOL BY VOLUME, FOR YEAR ENDED JUNE 30, 1922, BY COLLECTION DISTRICTS

	Gallons		Gallons
1st California	2,832,160	1st New York	7,731,171
6th California	1,699,110	2nd New York	14,885,971
Colorado	53,475	14th New York	4,152,075
Connecticut	3,925,995	21st New York	3,559,011
Delaware	227,540	28th New York	6,336,758
Idaho	13,570	1st Ohio	6,340,862
1st Illinois	15,786,546	10th Ohio	316,009
8th Illinois	807,776	11th Ohio	556,096
Indiana	1,237,923	18th Ohio	2,744,639
Kentucky	2,153,167	Oregon	357,800
Louisiana	786,585	1st Pennsylvania	3,196,507
Maryland	2,030,981	12th Pennsylvania	9,141,601
Massachusetts	2,217,820	23rd Pennsylvania	12,716,240
1st Michigan	2,634,315	Rhode Island	783,194
4th Michigan	199,761	Tennessee	59,210
Minnesota	5,303,927	1st Texas	640,429
1st Missouri	6,980,456	Washington	234,215
6th Missouri	829,622	Wisconsin	10,311,606
Montana	258,735	Wyoming	50,820
Nebraska	293,571		
1st New Jersey	390,476	Total	144,667,985
5th New Jersey	9,890,260		

SUMMARY OF PRODUCTION OF FERMENTED LIQUORS, YEARS ENDED JUNE 30, 1913-1920

	Barrels		Barrels
1913	65,324,876	1917	60,817,379
1914	66,189,473	1918	50,266,216
1915	59,808,210	1919	27,712,648
1916	58,633,624	1920	9,231,280

TAXABLE GALLONS OF DISTILLED SPIRITS IN DISTILLERY AND GENERAL BONDED WAREHOUSES AT BEGINNING AND END OF YEARS ENDED JUNE 30, 1921 AND 1922, PRODUCED, ENTERED INTO, AND REMOVED FROM SUCH WAREHOUSES DURING SUCH PERIODS, AND INCREASE OR DECREASE IN EACH CLASS OF TRANSACTIONS

Status of Quantities	1921	1922	Decrease
In warehouses at the beginning of the year	53,406,552.1	42,259,399.2	-11,147,152.9
Produced during the year	1,296,882.1	1,180,132.2	-116,749.9
Received into general bonded warehouses	1,217,322.5	338,791.4	878,531.1
Total	55,920,756.7	43,778,322.8	-12,142,433.9
Withdrawn tax paid	4,019,108.1	777,127.2	-3,241,980.9
Withdrawn tax paid for bottling in bond	5,558,007.9	1,956,642.5	-3,601,365.4
Allowed as leakage	2,347,731.0	851,178.1	-1,496,552.9
Withdrawn for scientific purposes and for use of the United States	16,315.6	2,925.7	-13,389.9
Seized and sold pursuant to warrant for distraint for taxes .....	.....	2,763.7	+2,763.7
Withdrawn for redistillation	4,428.7	.....	-4,428.7
Lost by casualty, etc.	343,577.9	103,212.0	-240,365.9
Withdrawn for export	256,216.3	206,901.5	-49,314.8
Withdrawn for denaturation	667,928.4	826,069.9	+158,141.5
Removed to manufacturing warehouses	8,949.6	12,996.1	+4,046.5
Removed to other warehouses	439,094.0	212,310.7	-226,783.3
In warehouse at end of year	42,259,399.2	38,826,195.4	-3,433,203.8
Total	55,920,756.7	43,778,322.8	-12,307,385.6
			+164,951.7

+Increase.

TAXABLE GALLONS OF EACH KIND OF DISTILLED SPIRITS WITHDRAWN FROM DISTILLERY AND GENERAL BONDED WAREHOUSES, TAX PAID, EXCLUSIVE OF TAX-PAID SPIRITS TRANSFERRED TO BOTTLING WAREHOUSES, YEAR ENDED JUNE 30, 1922, BY COLLECTION DISTRICTS

Districts	Whisky	Rum	Gin	High Wines	Alcohol	Neutral or Cologne spirits	Aggregate
Distillery Warehouses							
1st Illinois	5,652.1	.....	737.6	.....	6.3	3,859.7	10,255.7
8th Illinois	1,054.3	.....	.....	.....	.....	.....	1,054.3
Indiana	8,105.8	.....	585.0	.....	.....	14,855.6	23,546.4
Kentucky	175,237.4	.....	557.0	.....	674.9	81.1	176,550.4
Louisiana .....	.....	.....	.....	.....	171.6	128.4	300.0
Maryland	101,871.8	.....	1,494.1	.....	.....	.....	103,365.9
Massachusetts .....	.....	7,543.7	.....	.....	42.7	.....	7,586.4

Districts	Whisky	Rum	Gin	High Wines	Alcohol	Neutral or Cologne spirits	Aggregate
1st Missouri	228.1	.....	.....	.....	.....	.....	228.1
6th Missouri	77.0	.....	.....	.....	.....	.....	77.0
14th New York	11,013.2	.....	.....	.....	.....	.....	11,013.2
21st New York	39.1	.....	44.0	.....	.....	.....	83.1
1st Ohio	16,148.5	.....	143.6	.....	244.4	1,634.7	18,171.2
1st Pennsylvania	59,169.1	.....	.....	.....	.....	.....	59,169.1
12th Pennsylvania	32.8	.....	.....	.....	.....	.....	32.8
23d Pennsylvania	78,686.6	.....	.....	885.9	.....	3,955.8	83,528.3
Wisconsin	141.6	.....	.....	.....	.....	.....	141.6
Total	457,457.4	7,543.7	3,561.3	885.9	1,139.9	24,515.3	495,103.5

TAXABLE GALLONS OF EACH KIND OF DISTILLED SPIRITS
WITHDRAWN FROM DISTILLERY AND GENERAL BONDED
WAREHOUSES, TAX PAID, EXCLUSIVE OF TAX-PAID SPIRITS
TRANSFERRED TO BOTTLING WAREHOUSES, YEAR ENDED
JUNE 30, 1922, BY COLLECTION, DISTRICTS—Continued

Districts	Whisky	Rum	Gin	High Wines	Alcohol	Neutral or Cologne spirits	Aggregate
General Bonded Warehouses							
1st California	50,931.7	147.6	345.6	.....	.....	971.7	52,396.6
6th California	10,806.0	.....	42.6	.....	3,618.4	181.4	14,648.4
1st Illinois	9,535.0	.....	.....	.....	16,768.5	.....	26,303.5
Kentucky	3,616.6	37.5	39.0	.....	.....	.....	3,693.1
Maryland	943.8	.....	.....	.....	.....	.....	943.8
Massachusetts	35,039.5	.....	15.2	.....	.....	.....	35,054.7
1st Missouri	960.7	.....	.....	.....	.....	.....	960.7
6th Missouri	4,052.3	.....	44.0	.....	.....	456.2	4,552.5
5th New Jersey	21,289.6	.....	2,185.9	.....	8,794.6	.....	32,270.1
1st New York	194.1	.....	.....	.....	.....	.....	194.1
2d New York	60,055.8	.....	88.8	.....	5,833.4	1,177.3	67,155.3
14th New York	3,727.0	.....	.....	.....	.....	.....	3,727.0
21st New York	36.5	.....	.....	.....	.....	.....	36.5
1st Ohio	187.0	.....	.....	.....	.....	.....	187.0
1st Pennsylvania	2,120.4	.....	.....	.....	.....	.....	2,120.4
12th Pennsylvania	34,398.7	.....	.....	.....	.....	.....	34,398.7
23d Pennsylvania	3,347.6	.....	.....	.....	.....	.....	3,347.6
Virginia	33.7	.....	.....	.....	.....	.....	33.7
Total	241,276.0	185.1	2,761.1	.....	35,014.9	2,786.6	282,023.7
Grand total	698,733.4	7,728.8	6,322.4	885.9	36,154.8	27,301.9	777,127.2

**TAXABLE GALLONS OF SPIRITS UPON WHICH TAX WAS PAID
BY STAMP, YEARS ENDED JUNE 30, 1921 AND 1922**

Status at time of payment	1921	1922
Withdrawn tax paid from distillery warehouses	2,443,897.7	495,103.5
Withdrawn tax paid from general bonded warehouses	1,575,210.4	282,023.7
Withdrawn tax paid from industrial alcohol bonded warehouses	25,416,038.6	16,319,350.6
Withdrawn tax paid for bottling in bond	5,558,007.9	1,956,642.5
Spirits upon which a customs duty equal to the inter- nal revenue tax was paid upon re-importation	22,090.0	18,636.0
Porto Rico rum and alcohol tax paid by stamp	32,707.4	8,282.0
Virgin Island rum and alcohol tax paid by stamp	5,489.0	574.5
Tax paid by stamp on spirits seized and forfeited, illicit spirits, etc., and coupons issued in excess ...	60,138.4	666.7
Fruit brandy tax paid and withdrawn from special bonded warehouses	65,459.1	26,748.5
Fruit brandy tax paid at fruit distilleries	38,623.9	408.4
Total	35,217,662.4	19,108,436.4

**TAXABLE GALLONS OF EACH KIND OF DISTILLED SPIRITS
WITHDRAWN FROM DISTILLERY AND GENERAL BONDED
WAREHOUSES FOR EXPORTATION, YEAR ENDED JUNE 30, 1922,
BY COLLECTION DISTRICTS**

Districts	Whisky	Rum	Gin	Alcohol	Neutral or Cologne spirits	Aggregate
Distillery Warehouses						
1st Illinois .....	.....	.....	854.6	.....	3,240.6	4,095.2
8th Illinois	862.1	.....	.....	.....	.....	862.1
Kentucky	90,538.2	.....	.....	.....	.....	90,538.2
Maryland	2,555.8	.....	.....	.....	.....	2,555.8
Massachusetts .....	.....	98,511.8	.....	84.4	.....	98,596.2
21st New York .....	.....	.....	6,730.5	.....	.....	6,730.5
Lost by casualty and unac- counted for June 30, 1921	34,483.8	.....	59.5	.....	.....	34,543.3
In export storage ware- houses June 30, 1921 ...	313,103.5	2,880.4	2,576.6	.....	.....	318,560.5
Total	441,543.4	101,392.2	10,221.2	84.4	3,240.6	556,481.8
General Bonded Warehouses						
1st California	34.5	.....	.....	.....	.....	34.5
Massachusetts	3,489.0	.....	.....	.....	.....	3,489.0
Total	3,523.5	.....	.....	.....	.....	3,523.5
Grand total	445,066.9	101,392.2	10,221.2	84.4	3,240.6	560,005.3

**TAXABLE GALLONS OF EACH KIND OF DISTILLED SPIRITS
WITHDRAWN FROM DISTILLERY AND GENERAL BONDED
WAREHOUSES FOR EXPORTATION, YEAR ENDED JUNE 30, 1922,
BY COUNTRIES TO WHICH EXPORTED***

Exported to—	Whisky	Rum	Gin	Alcohol	Cologne spirits	Aggregate
Canada	89,720.7	13,196.1	6,730.5	.....	.....	109,647.3
China .....	.....	83,132.3	.....	.....	.....	83,132.3
England	862.1	.....	.....	.....	.....	862.1
Germany	2,996.8	.....	.....	.....	.....	2,996.8
Greece .....	.....	.....	.....	84.4	.....	84.4
Newfoundland .....	.....	2,183.4	.....	.....	.....	2,183.4
Nova Scotia .....	.....	.....	854.6	.....	3,240.6	4,095.2
Tahiti	34.5	.....	.....	.....	.....	34.5
Tax paid for domestic use	21,515.6	844.0	.....	.....	.....	22,359.6
Casualties in, or thefts from, export storage warehouse, and unaccounted for	34,645.1	.....	59.5	.....	.....	34,704.6
Casualties tax paid	121.1	.....	.....	.....	.....	121.1
Casualties loss allowed	990.1	.....	.....	.....	.....	990.1
In storage warehouse for export June 30, 1922	294,180.9	2,036.4	2,576.6	.....	.....	298,793.9
Total	445,066.9	101,392.2	10,221.2	84.4	3,240.6	560,005.3

* Exclusive of alcohol withdrawn from industrial alcohol bonded warehouses for export during the year ended June 30, 1922.

**TAXABLE GALLONS OF DISTILLED SPIRITS REPORTED LOST BY
CASUALTY IN DISTILLERY AND GENERAL BONDED WARE-
HOUSES (INCLUDING SEIZURES, FRAUDULENT REMOVALS, ER-
RORS IN GAUGE, ETC.), YEAR ENDED JUNE 30 1922, BY COL-
LECTION DISTRICTS**

Districts	Whisky	Gin	High wines	Alcohol	Neutral or Cologne spirits	Aggregate
Distillery Warehouses						
Connecticut .....	.....	158.0	.....	.....	.....	158.0
1st Illinois	520.4	.....	.....	.....	.....	520.4
8th Illinois	727.5	.....	.....	.....	.....	727.5
Indiana	2,755.0	142.3	.....	.....	.....	2,897.3
Kentucky	71,759.5	.....	.....	.....	.....	71,759.5
Louisiana .....	.....	.....	.....	.....	88.1	88.1
Maryland	2,755.1	.....	.....	.....	.....	2,755.1
1st Ohio	102.4	.....	.....	.....	.....	102.4
1st Pennsylvania .....	.1	.....	.....	.....	.....	.1
12th Pennsylvania	2,783.5	.....	.....	.....	.....	2,783.5
23d Pennsylvania	5,389.5	.....	62.8	.....	.....	5,452.3
Total	86,793.0	300.3	62.8	.....	88.1	87,244.2

Districts	Whisky	Gin	High wines	Alcohol	Neutral or Cologne spirits	Aggregate
General Bonded Warehouses						
Massachusetts	48.6	.....	.....	.....	.....	48.6
5th New Jersey	1.3	.....	.....	498.2	.....	499.5
2d New York	9,125.7	998.5	.....	931.9	191.6	11,247.7
14th New York	1,940.8	.....	.....	.....	.....	1,940.8
1st Ohio	590.1	.....	.....	.....	.....	590.1
12th Pennsylvania	1,641.1	.....	.....	.....	.....	1,641.1
Total	13,347.6	998.5	.....	1,430.1	191.6	15,967.8
Grand total	100,140.6	1,298.8	62.8	1,430.1	279.7	103,212.0

NATURE OF CASUALTIES IN DISTILLERY AND GENERAL BONDED WAREHOUSES, YEAR ENDED JUNE 30, 1922 (QUANTITIES IN TAXABLE GALLONS), BY COLLECTION DISTRICTS

Districts	Fire	Errors in gauge	Stolen	Other casu- alties	Aggre- gate
Distillery Warehouses					
Connecticut .....	.....	.....	158.0	.....	158.0
1st Illinois .....	.....	0.1	518.9	1.4	520.4
8th Illinois .....	.....	.....	727.5	.....	727.5
Indiana .....	.....	.2	2,897.1	.....	2,897.3
Kentucky	69,372.8	7.8	2,282.5	96.4	71,759.5
Louisiana .....	.....	.....	.....	88.1	88.1
Maryland .....	.....	.3	2,751.7	3.1	2,755.1
1st Ohio .....	.....	1.0	101.4	.....	102.4
1st Pennsylvania .....	.....	.1	.....	.....	.1
12th Pennsylvania .....	.....	.9	2,782.6	.....	2,783.5
23d Pennsylvania .....	.....	.....	5,342.3	.....	5,452.3
Total	69,372.8	10.4	17,672.0	189.0	87,244.2
General Bonded Warehouses					
Massachusetts .....	.....	.....	.....	48.6	48.6
5th New Jersey .....	.....	1.3	498.2	.....	499.5
2d New York .....	.....	.....	11,247.7	.....	11,247.7
14th New York .....	.....	.....	1,940.8	.....	1,940.8
1st Ohio .....	.....	.....	590.1	.....	590.1
12th Pennsylvania .....	.....	.....	1,641.1	.....	1,641.1
Total .....	.....	1.3	15,917.9	48.6	15,967.8
Grand total	69,372.8	11.7	33,589.9	237.6	103,212.0

INTERNAL REVENUE STATISTICS

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TAXABLE GALLONS OF EACH KIND OF SPIRITS, AS KNOWN TO THE TRADE, REMAINING IN DISTILLERY AND GENERAL BONDED WAREHOUSES JUNE 30, 1921 AND 1922, BY COLLECTION DISTRICTS

FISCAL YEAR 1921

Districts	Whisky	Rum, Gin and High Wines	Alcohol	Neutral or Cologne spirits	Aggregate
Distillery Warehouses					
Alabama	15,625.2	1,317.4	.....	.....	16,942.6
Connecticut		2,176.3	.....	.....	2,176.3
Illinois	1,058,432.6	361,290.9	19,947.2	113,782.2	1,553,452.9
Illinois	316,576.6	8,825.0	.....	48.4	325,450.0
Indiana	619,319.4	91,048.7	9,970.0	42,714.3	763,052.4
Kentucky	23,974,224.2	208,048.6	64,730.0	112,286.1	24,359,288.9
Louisiana .....	.....	15,043.0	1,298.9	35,817.5	52,159.4
Maryland	2,999,553.2	5,644.3	48,258.1	.....	3,053,455.6
Massachusetts .....	.....	381,418.1	52,066.1	.....	433,484.2
Missouri	48,022.2	.....	.....	.....	48,022.2
Missouri	97.0	.....	.....	.....	97.0
New York	77,929.7	29,817.1	.....	.....	107,746.8
New York	97,870.0	34,447.1	.....	9,555.3	141,872.4
Ohio	884,684.6	47,059.8	4,112.8	2,305.2	938,162.4
Ohio	16,954.4	.....	.....	.....	16,954.4
Pennsylvania	414,854.7	336.3	81.0	.....	415,272.0
Pennsylvania	2,829.8	.....	.....	.....	2,829.8
Pennsylvania	6,583,697.4	1,096.7	.....	4,942.5	6,589,736.6
Texas .....	.....	.....	7,192.6	.....	7,192.6
Virginia	137,295.9	.....	.....	.....	137,295.9
Wisconsin	6,433.9	492.5	.....	.....	6,926.4
Total	37,254,400.8	1,188,061.8	207,656.7	321,451.5	38,971,570.8
General Bonded Warehouses					
California	495,437.0	11,949.4	272.4	2,619.3	510,278.1
California	127,820.7	4,126.5	293.8	481.3	132,722.3
Illinois	415,062.5	10,418.9	38,707.9	437.8	464,627.1
Kentucky	266,422.1	8,581.9	1,063.0	.....	276,067.0
Maryland	15,968.7	1,103.0	2,966.4	.....	20,038.1
Massachusetts	267,332.8	3,161.3	175.5	1,464.1	272,133.7
Missouri	53,194.6	.....	.....	.....	53,194.6
Missouri	134,421.5	5,320.4	.....	4,076.1	143,818.0
New Jersey	53,994.8	15,152.8	51,875.7	.....	121,023.3
New York	488,087.9	18,879.2	337,934.7	34,439.5	879,341.3
New York	57,745.4	.....	.....	.....	57,745.4
Ohio	24,342.8	1,199.1	.....	913.3	26,455.2
Pennsylvania	90,819.0	17,190.9	.....	3,123.8	111,133.7
Pennsylvania	186,667.9	.....	.....	.....	186,667.9
Pennsylvania	24,994.0	2,357.4	.....	.....	27,351.4
Virginia	5,231.3	.....	.....	.....	5,231.3
Total	2,707,543.0	99,440.8	433,289.4	47,555.2	3,287,828.4
Grand total	39,961,943.8	1,287,502.6	640,946.1	369,006.7	42,259,399.2

INTERNAL REVENUE STATISTICS

FISCAL YEAR 1922

Districts	Whisky	Rum, gin and High Wines	Alcohol	Neutral or Cologne spirits	Aggregate
Distillery Warehouses					
Alabama	15,625.2	1,317.4	.....	.....	16,942.
Connecticut .....	.....	2,018.3	.....	.....	2,018.
1st Illinois	964,702.6	358,267.9	14,391.2	105,057.1	1,442,418.
8th Illinois	276,521.0	8,825.0	.....	48.4	285,394.
Indiana	480,977.0	90,226.5	9,970.0	26,019.0	607,192.
Kentucky	22,037,004.4	207,414.3	63,997.0	112,196.8	22,420,612.
Louisiana .....	.....	15,043.0	1,114.3	34,788.3	50,945.
Maryland	2,736,118.1	3,977.4	48,258.1	.....	2,788,353.
Massachusetts .....	.....	366,235.2	51,934.2	.....	418,169.
1st Missouri	45,133.3	.....	.....	.....	45,133.
14th New York	62,565.9	29,817.1	.....	.....	92,383.
21st New York	97,674.0	27,377.3	.....	9,555.3	134,606.
1st Ohio	789,174.3	46,702.2	3,839.9	471.5	840,187.
18th Ohio	16,954.4	.....	.....	.....	16,954.
1st Pennsylvania	327,427.9	336.3	81.0	.....	327,845.
23d Pennsylvania	6,194,611.4	.....	.....	807.4	6,195,418.
1st Texas .....	.....	.....	7,192.6	.....	7,192.
Wisconsin	6,242.3	492.5	.....	.....	6,734.
Total	34,050,731.8	1,158,050.4	200,778.3	288,943.8	35,698,504.
General Bonded Warehouses					
1st California	423,793.4	11,378.1	76.0	1,556.3	436,803.
6th California	132,675.5	4,080.0	196.1	290.4	137,242.
1st Illinois	460,388.0	10,418.9	19,937.4	437.8	491,182.
Kentucky	268,734.9	9,689.8	1,063.0	1,442.3	280,930.
Maryland	31,496.3	1,103.0	2,966.4	.....	35,565.
Massachusetts	222,932.9	3,115.6	175.5	1,464.1	227,688.
1st Missouri	56,010.7	.....	.....	.....	56,010.
6th Missouri	119,396.7	5,272.7	.....	3,589.9	128,259.
5th New Jersey	28,161.7	12,741.9	14,517.5	.....	55,421.
1st New York	45,787.8	.....	.....	.....	45,787.
2d New York	419,907.4	136,749.1	303,637.9	20,459.8	880,755.
14th New York	51,306.7	.....	.....	.....	51,306.
21st New York	15,049.8	48.5	.....	.....	15,098.
1st Pennsylvania	88,185.4	17,190.9	.....	3,123.8	108,500.
12th Pennsylvania	146,838.5	.....	.....	.....	146,838.
23d Pennsylvania	21,986.7	3,130.9	.....	.....	25,117.
Virginia	5,184.1	.....	.....	.....	5,184.
Total	2,537,836.5	214,920.4	342,569.8	32,364.4	3,127,691.
Grand total	36,588,568.3	1,372,970.8	543,348.1	321,308.2	38,826,195.

PER CAPITA CONSUMPTION OF ALL LIQUORS

The following table, which shows the per capita consumption of spirits, wines and malt liquors during each year for the past 1 years, furnishes the only statistics by which anything like a just and reasonable estimate can be made as to the increase in liquor consumption in the United States.

CONSUMPTION OF ALL LIQUORS IN THE UNITED STATES,
1840-1921

YEAR	Total Consumption of Wines and Liquors Gallons	Total Consumption Per Capita			
		Distilled Spirits (b) P. Gals.	Wines (c) P. Gals.	Malt Liquors (c) P. Gals.	All Liquors and Wines (c) P. Gals.
40.....	71,244,823	2.52	0.29	1.36	4.17
50.....	94,712,853	2.24	.27	1.58	4.08
60.....	202,120,007	2.86	.34	3.22	6.43
70.....	296,876,931	2.07	.32	5.31	7.70
71-80 (a).....	392,558,432	1.39	.47	6.93	8.79
81-90 (a).....	751,074,446	1.34	.48	11.38	13.21
91.....	1,067,471,393	1.43	.46	14.84	16.72
92.....	1,114,876,299	1.49	.43	15.20	17.13
93.....	1,207,365,215	1.52	.48	16.19	18.20
94.....	1,148,447,584	1.34	.32	15.32	16.98
95.....	1,142,552,426	1.14	.30	15.13	16.57
96.....	1,202,893,116	1.01	.27	15.85	17.12
97.....	1,180,941,634	1.02	.53	14.94	16.50
98.....	1,266,662,417	1.12	.28	15.96	17.37
99.....	1,250,174,849	1.18	.35	15.30	16.82
00.....	1,349,732,435	1.28	.39	16.09	17.76
01.....	1,390,912,302	1.31	.36	15.98	17.65
02.....	1,539,859,237	1.34	.61	17.18	19.14
03.....	1,606,217,122	1.43	.47	17.67	19.57
04.....	1,663,776,829	1.45	.52	17.91	19.87
05.....	1,694,455,976	1.42	.41	18.02	19.85
06.....	1,874,758,027	1.47	.53	19.54	21.55
07.....	2,020,136,809	1.58	.65	20.56	22.79
08.....	2,006,233,408	1.39	.58	20.26	22.22
09.....	1,935,544,011	1.32	.67	19.07	21.06
10.....	2,045,353,420	1.42	.65	20.09	22.19
11.....	2,169,356,975	1.46	.67	20.69	22.81
12.....	2,128,452,226	1.45	.58	20.02	22.05
13.....	2,233,420,461	1.51	.56	20.72	22.80
14.....	2,252,272,765	1.44	.53	20.69	22.66
15.....	2,015,595,291	1.26	.33	18.40	19.99
16.....	2,005,835,871	1.37	.47	17.78	19.61
17.....	2,095,535,005	1.62	.41	18.17	20.20
18.....	1,696,505,023	.87	.49	14.77	16.13
19.....	991,614,141	.79	.51	8.00	9.30
20.....	318,762,713	.22	.12	2.61	2.95
21.....	341,640,392	.32	.19	2.61	3.12

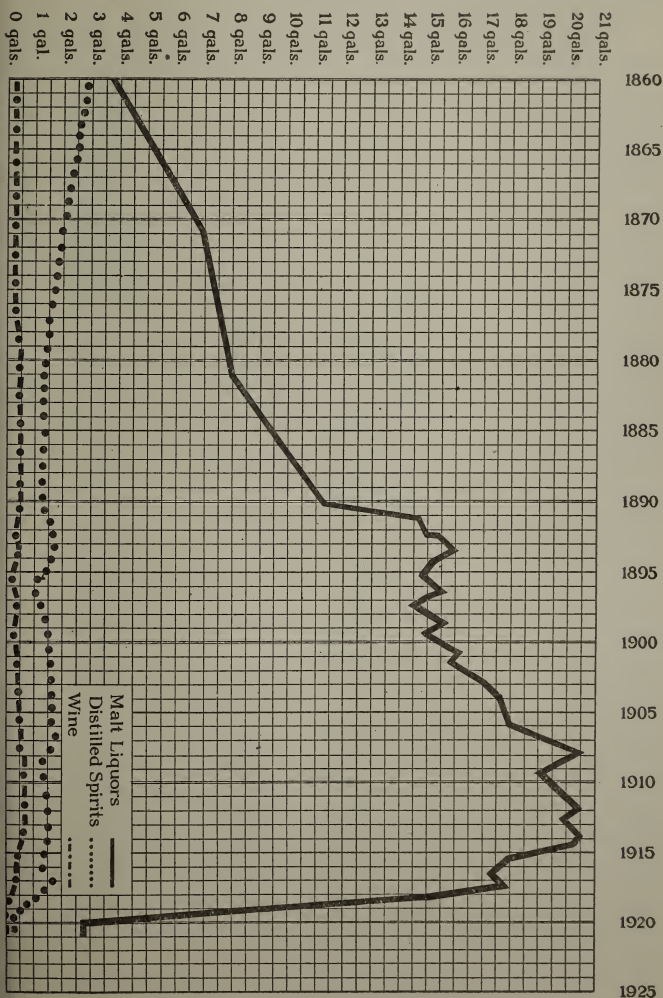
(a) Average for the period. (b) Since 1885 includes domestic spirits exported and returned. (c) Product less domestic export.

These statistics are published in the Statistical Abstract of the United States and are taken from the official census reports of the federal government. In compiling these statistics the gradual increase in the population is taken into account year by year. While these statistics do not show absolutely the per capita consumption of liquor, they present the most accurate estimate of such consumption that it is possible to make.

The following diagram shows the average yearly increase in the per capita consumption of malt liquors, distilled spirits, and wines for the first three decades, and the actual yearly per capita consumption for the last three decades. It will be observed that per capita consumption increased as much in the ten years preceding 1890 as it has during the entire 31 years since 1890.

The per capita consumption of liquors, as shown in the foregoing tables, reached the highest mark in 1907. Several states adopted Prohibition in 1907, and a large number of counties in other states voted no-license during 1908 and 1909. This was sufficient to offset the natural increased consumption in the large cities and license areas, and in addition to decrease the average.

It should be remembered in this connection that the constantly increasing efficiency of the law enforcement organization in the Internal Revenue Department of the government has a tendency in itself to show a small increase in the consumption of intoxicants.

CONSUMPTION OF MALT LIQUORS, SPIRITS AND WINE,
1860-1921

**POPULATION LIVING UNDER PROHIBITION AND LICENSE BY
STATE LAW PRIOR TO THE GOING INTO EFFECT OF NATIONAL
PROHIBITION JANUARY 17, 1920**

STATE	Population 1920 Census	Population in Wet Territory	Per Cent. Wet	Population in Dry Territory	Per Cent Dry
Alabama	2,348,174	None	....	2,348,174	100
Arizona	334,162	None	....	334,162	100
Arkansas	1,752,204	None	....	1,752,204	100
California	3,426,861	1,977,299	57.7	1,449,562	42.3
Colorado	939,629	None	....	939,629	100
Connecticut	1,380,631	1,034,093	74.9	346,538	25.1
Delaware	223,003	96,337	43.2	126,666	56.8
District of Columbia	437,571	None	....	437,571	100
Florida	968,470	None	....	968,470	100
Georgia	2,895,832	None	....	2,895,832	100
Idaho	431,866	None	....	431,866	100
Illinois	6,485,280	3,437,198	53.0	3,048,082	47.0
Indiana	2,930,390	None	....	2,930,390	100
Iowa	2,404,021	None	....	2,404,021	100
Kansas	1,769,257	None	....	1,769,257	100
Kentucky*	2,416,630	None	....	2,416,640	100
Louisiana	1,798,509	847,098	47.1	951,411	52.9
Maine	768,014	None	....	768,014	100
Maryland	1,449,661	739,327	51.0	710,334	49.0
Massachusetts	3,852,356	2,623,454	68.1	1,228,902	31.9
Michigan	3,668,412	None	....	3,668,412	100
Minnesota	2,387,125	1,002,593	42.0	1,384,532	58.0
Mississippi	1,790,618	None	....	1,790,618	100
Missouri	3,404,055	1,599,906	47.0	1,804,149	53.0
Montana	548,889	None	....	548,889	100
Nebraska	1,296,372	None	....	1,296,372	100
Nevada	77,407	None	....	77,407	100
New Hampshire	443,083	None	....	443,083	100
New Jersey	3,155,900	2,840,310	90.0	315,590	10.0
New Mexico	360,350	None	....	360,350	100
New York	10,385,227	8,484,730	81.7	1,900,497	18.3
North Carolina	2,559,123	None	....	2,559,123	100
North Dakota	646,872	None	....	646,872	100
Ohio	5,759,394	None	....	5,759,394	100
Oklahoma	2,028,283	None	....	2,028,283	100
Oregon	783,389	None	....	783,389	100
Pennsylvania	8,720,017	7,080,654	81.2	1,639,363	18.8
Rhode Island	604,397	528,847	87.5	75,550	12.5
South Carolina	1,683,724	None	....	1,683,724	100
South Dakota	636,547	None	....	636,547	100
Tennessee	2,337,885	None	....	2,337,885	100
Texas	4,663,228	None	....	4,663,228	100
Utah	449,396	None	....	449,396	100
Vermont	352,428	49,692	14.1	302,736	85.9
Virginia	2,309,187	None	....	2,309,187	100
Washington	1,356,621	None	....	1,356,621	100
West Virginia	1,463,701	None	....	1,463,701	100
Wisconsin	2,632,067	1,466,061	55.7	1,166,006	44.3
Wyoming	194,402	None	....	194,402	100
Totals	105,710,620	33,807,599	31.7	71,903,031	68.3

*State-wide Prohibition adopted in Kentucky in November, 1919; became effective June 30, 1920,

AREA UNDER PROHIBITION AND LICENSE BY STATE LAW,
PRIOR TO THE GOING INTO EFFECT OF NATIONAL PROHIBI-
TION, JANUARY 17, 1920

STATE	Total Land Area (Sq. Miles)	Land Area Under License (Sq. Miles)	Per Cent Wet	Land Area Under Prohibition (Sq. Miles)	Per Cent Dry
Alabama	51,279	None	....	51,279	100
Arizona	113,810	None	....	113,810	100
Arkansas	52,525	None	....	52,525	100
California	155,652	60,652	38.9	95,000	61.1
Colorado	103,658	None	....	103,658	100
Connecticut	4,820	1,020	21.1	3,800	78.9
Delaware	1,965	10	0.5	1,955	99.5
District of Columbia	60	None	....	60	100
Florida	54,861	None	....	54,861	100
Georgia	58,725	None	....	58,725	100
Idaho	83,354	None	....	83,354	100
Illinois	56,043	6,597	11.7	49,446	88.3
Indiana	36,045	None	....	36,045	100
Iowa	55,586	None	....	55,586	100
Kansas	81,774	None	....	81,774	100
Kentucky*	40,181	None	....	40,181	100
Louisiana	45,409	8,730	19.2	36,679	81.8
Maine	29,895	None	....	29,895	100
Maryland	9,941	1,462	14.8	8,479	85.2
Massachusetts	8,039	2,465	30.6	5,574	69.4
Michigan	57,480	None	....	57,480	100
Minnesota	80,858	14,166	17.6	66,692	82.4
Mississippi	46,362	None	....	46,362	100
Missouri	68,727	6,873	10.0	61,854	90.0
Montana	146,201	None	....	146,201	100
Nebraska	76,808	None	....	76,808	100
Nevada	109,821	None	....	109,821	100
New Hampshire	9,031	None	....	9,031	100
New Jersey	7,514	5,260	70.0	2,254	30.0
New Mexico	122,503	None	....	122,503	100
New York	47,654	16,654	34.9	30,000	65.1
North Carolina	48,740	None	....	48,740	100
North Dakota	70,183	None	....	70,183	100
Ohio	40,740	None	....	40,740	100
Oklahoma	69,414	None	....	69,414	100
Oregon	95,607	None	....	95,607	100
Pennsylvania	44,832	31,793	70.9	13,039	29.1
Rhode Island	1,067	643	61.2	414	38.8
South Carolina	30,495	None	....	30,495	100
South Dakota	76,868	None	....	76,868	100
Tennessee	41,687	None	....	41,687	100
Texas	262,398	None	....	262,398	100
Utah	82,184	None	....	82,184	100
Vermont	9,124	186	2.0	8,938	98.0
Virginia	40,262	None	....	40,262	100
Washington	66,836	None	....	66,836	100
West Virginia	24,022	None	....	24,022	100
Wisconsin	55,256	13,815	25.0	41,441	75.0
Wyoming	97,594	None	....	97,594	100
Totals	2,973,890	138,523	4.6	2,835,367	95.4

*State-wide Prohibition adopted in Kentucky in November, 1919; became effective June 30, 1920.

CHURCHES AND CHURCH MEMBERS IN THE UNITED STATES

DENOMINATIONS	Ministers	Churches	Communi- cants
Adventists, 5 Bodies	1,629	2,911	136,579
Assemblies of God	700	200	10,000
Baptists, 14 Bodies*	45,995	59,901	7,825,598
Brethren (Dunkard) 3 Bodies	4,057	1,280	137,142
Brethren (Plymouth), 6 Bodies	.....	458	13,244
Brethren (River), 3 Bodies	204	122	5,962
Buddhist Japanese Temples	34	12	5,639
Catholic Apostolic, 2 Bodies	13	13	2,768
Catholic, Eastern Orthodox, 8 Bodies	459	491	645,444
Catholic, Western, 3 Bodies	22,009	16,811	15,342,171
Christadelphians	.....	76	3,890
Christian, American Convention	861	1,094	97,084
Christian Union	350	320	16,800
Church of Christ Scientist	3,206	1,603	.....
Church of God and Saints of Christ	101	94	3,311
Church of God (Winebrenner)	421	525	28,672
Churches of God, Gen. Assembly	763	553	18,248
Churches of the Living God (Colored) 3 bodies	200	165	11,000
Churches of the New Jerusalem, 2 Bodies	128	139	9,400
Communitistic Societies, 2 Bodies	.....	19	1,901
Congregational Churches	5,665	5,924	819,225
Disciples of Christ, 2 Bodies	8,209	14,401	1,519,715
Evangelical, 2 Bodies	1,588	2,446	213,664
Evangelistic Associations, 15 Bodies	444	207	13,933
Evangelical Protestant	34	37	17,962
Evangelical Synod	1,136	1,325	274,860
Free Christian Zion	29	35	6,225
Friends, 4 Bodies	1,346	1,014	117,391
Jewish Congregations	721	1,901	357,135
Latter-Day Saints, 2 Bodies	8,138	1,721	587,701
Lutherans	9,996	13,948	2,429,561
Swedish Evangelical, 3 Bodies	536	437	36,802
Mennonites, 11 Bodies	1,751	982	82,553
Methodists, 15 Bodies	42,955	63,283	8,001,506
Moravians, 2 Bodies	151	146	23,745
Nonsectarian Bible Faith Chs.	48	61	2,946
Pentecostal Churches, 4 Bodies	1,673	1,765	61,973
Presbyterians, 9 Bodies	14,275	15,818	2,318,342
Protestant Episcopal, 2 Bodies	5,801	7,955	1,092,805
Reformed, 3 Bodies	2,222	2,716	510,905
Salvation Army	3,728	1,117	108,033
Schwenkfelders	6	7	1,336
Social Brethren	10	19	950
Society for Ethical Culture	11	7	3,210
Spiritualists	500	600	50,000
Temple Society	2	2	260
Unitarians	505	406	71,110
United Brethren, 2 Bodies	2,147	3,776	376,182
Universalists	620	850	59,650
Independent Congregations	267	879	48,673
Grand total in 1921	195,414	230,572	43,523,206
Grand total in 1920	193,623	230,484	42,761,479

*Small increase due to fact that returns for 1921 lacking for 4 chief bodies.

†Returns for 1921 not yet ready. Constituency, 103,421.

Recent Decisions of the United States Supreme Court

[Prepared by the Legal Department of the Anti-Saloon League of America]

Since the resume of decisions published in the Year Book, 1920, the following decisions by the United States Supreme Court relating to the Eighteenth Amendment and National Prohibition Act have been rendered.

EIGHTEENTH AMENDMENT—SEVEN YEAR LIMITATION FOR RATIFICATION—DID NOT INVALIDATE—DATE EFFECTIVE

The case of *Dillon v. Gloss*, 256 U. S. ————; ————; (United States Supreme Court Advance Opinions, 1921, No. 15, p. 611), the opinion in which was delivered by the Court on May 16, 1921, decided two very interesting questions. The petitioner, *Dillon*, was arrested on January 17, 1920, charged with a violation of the National Prohibition Act. He sought his discharge upon a writ of habeas corpus, which was denied by the lower court, whereupon he appealed to the Supreme Court. There he relied upon two grounds. First, the Eighteenth Amendment was invalid because the congressional resolution proposing the Amendment, declared that it should be inoperative unless ratified within seven years, and, second, that the National Prohibition Act which he was alleged to have violated had not gone into effect at the time of the commission of the alleged offense. The Court reviewed the history of all the proposed amendments to the Constitution and effectually disposed of the first contention in the following language:

“Of the power of Congress, keeping within reasonable limits, to fix a definite period for the ratification we entertain no doubt.”

The second point necessitated a determination of the date upon which the Eighteenth Amendment became operative. The language of the Amendment provided that it should be operative one year from its ratification. The legislatures of the necessary three-fourths of the states had ratified the Amendment on January 16, 1919, but the Secretary of State did not proclaim its ratification until January 29, 1919, and since the accused was arrested on January 17, 1920, it became material to determine whether the law became operative one year from January 16, or January 29, 1919. The court said:

“Its ratification, of which we take judicial notice, was consummated January 16, 1919. That the Secretary of State did not proclaim its ratification until January 29, 1919, is not material, for the date of its consummation, and not that on which it is proclaimed, controls.”

The Eighteenth Amendment is the first Amendment to the Constituion proposed, which has contained a limitation as to the time within which it must be ratified. This decision may be said to establish a precedent in that it expressly recognizes the right of Congress to fix a reasonable period within which an amendment to the Constitution must be ratified. It also settles the date upon which constitutional amendments become operative as that upon which the ratification is consummated, of which the court will take judicial notice.

**STATUS OF LIQUORS PURCHASED FOR PERSONAL USE
PRIOR TO DATE ON WHICH PROHIBITION BECAME
EFFECTIVE WHEN STORED IN A PRIVATE WAREHOUSE**

In the case of *Street vs. Lincoln Safe Deposit Co.*, 254 U. S. 88, decided Nov. 8, 1920, the Court was called upon to settle the question of the status of liquor purchased prior to the date upon which national prohibition became effective, intended solely for the personal consumption of the owner, his family and guests in his private dwelling, when stored in a private depository other than the bona fide home of the citizen.

The plaintiff, Street, filed a bill, in which it was alleged that he had purchased certain liquors prior to the date upon which national prohibition became effective, intended solely for his own personal consumption, that of his family and bona fide guests in his own home as permitted by the National Prohibition Act; had stored the same in a room rented from the Lincoln Deposit Co., a warehousing corporation; that he intended to report the liquors so stored to the Commissioner of Internal Revenue as required by law; that the defendant, Porter, an internal revenue officer of the United States, had threatened and declared that the possession of such liquor by the Deposit Company would be unlawful after the date upon which the National Prohibition Act became effective; that the Deposit Company because of these notices and threats had notified the plaintiff that he must remove the liquors from the warehouse. The plaintiff averred as a matter of law that the possession of liquors in a warehouse was not prohibited by the Eighteenth Amendment, and asked that an injunction be issued restraining the defendant from interfering with his possession of the liquor in the room of the warehouse. The lower court dismissed the petition and the case was brought on direct appeal to the United States Supreme Court to determine the constitutional question involved. The Supreme Court reviewed the various sections of the law, and reversed the decision of the lower court. Its decision may be summarized as follows:

First: That the possession of liquors stored in a private warehouse is not unlawful when such liquors were purchased prior to the date upon which the National Prohibition Act became effective, intended solely for the personal consumption of the owner, his family and bona fide guests in his own home and were duly re-

ported to the Commissioner of Internal Revenue within ten days after the date upon which the Eighteenth Amendment to the Constitution went into effect.

Second: That there is administrative power under the act to so regulate the transfer of such stored liquors from a warehouse to the dwelling of the owner, as to prevent their being used to evade the prohibitions of the act, or to substantially interfere with its effective enforcement.

**LIQUORS STORED IN BONDED WAREHOUSES CANNOT BE
REMOVED TO DWELLING OF OWNER WHETHER PUR-
CHASED BEFORE OR AFTER THE DATE THE EIGHT-
EENTH AMENDMENT BECAME EFFECTIVE**

The Supreme Court on January 30, 1922, rendered a decision of far-reaching importance in the enforcement of the National Prohibition Act. The court held that there was no right upon the part of a citizen to withdraw liquor from a bonded warehouse for personal use in the home no matter when title to such liquor was acquired. Four cases were involved. In each instance a suit had been brought by the appellant against the Collector of Internal Revenue to compel that officer to permit the withdrawal of the liquor upon payment of the tax. The bills were dismissed by the district courts and appeal taken direct to the United States Supreme Court. The style of the cases were: Corneli v. Moore, (No. 174); Ghio v. Moore (No. 175) appealed from the District Court for the Eastern District of Missouri. Bryan v. Miles, (No. 428) appealed from the District Court of Maryland. Eastes v. Crutchley, (No. 548) appealed from the District Court for the Western District of Maryland.

Inasmuch as these cases involved similar questions they were grouped together and reported in United States Supreme Court Advance Opinions, 1922, No. 8, page 213. In each case the warehouse receipts were purchased at a different date. In the Corneli and Eastes cases the purchase was made prior to the ratification of the Eighteenth Amendment. In the Bryan case the purchase was made prior to the effective date of the Volstead Act. In the Ghio case the purchase was made after the effective date of the Eighteenth Amendment and the Volstead Act. The appellants relied upon certain implied exceptions alleged to exist in the National Prohibition Act with reference to the possession of liquor in one's private dwelling for the personal consumption of the owner, his family, and bona fide guests therein, also upon the decision of the Supreme Court in the case of Street v. Lincoln Safe Deposit Company, 254 U. S. 88. The Supreme Court said:

"There is no analogy in Street's relation to the room in the Deposit Company's warehouse and appellants' relation to bonded warehouses. They had neither control,

access to, nor possession of the spirits they purchased. Mere ownership was not the equivalent. Under Section 33 there must be ownership and possession in one's private dwelling, and that character cannot be assigned to the bonded warehouses of the government."

It was also contended that insofar as the act related to liquors purchased prior to the date the Eighteenth Amendment became effective that it was unconstitutional. In answer to this the Supreme Court said:

"It is asserted that the Eighteenth Amendment was not intended to be retrospective, and that if it and the Volstead Act should be so treated,—that is, if applied to liquor manufactured and lawfully acquired before their respective dates—they are void,—they thereby taking from property its essential attributes, 'the right to use it, possess it and enjoy it,' and made unlawful by the 5th Amendment to the Constitution, and that the 5th Amendment is not repealed by the 18th Amendment. We are not disposed to trace the elements of the contentions minutely,—they are answered in all their phases by the National Prohibition Cases (*Rhode Island v. Palmer*) 253 U. S., 350, 387, 64 L. Ed., 946, 978, 40 Sup. Ct. Rep. 486, 588."

VALIDITY OF PROHIBITIVE TAXES—REVENUE LAWS

The case of *United States vs. Yuginovich*, 256 U. S. ———, (U. S. Supreme Court Adv. Op. 1921, No. 16,679) decided June 1, 1921, involved two questions of great importance in the enforcement of the Eighteenth Amendment. **First**, the validity of a prohibitive tax as a constitutional method of enforcement of the Eighteenth Amendment. **Second**, whether the criminal penalties of the old internal revenue laws of the United States are applicable to the illicit manufacture of liquors since the passage of the National Prohibition Act.

The facts were, that the defendants were tried upon an indictment containing four counts, each alleging a violation of a distinct provision of the internal revenue laws of the United States. It was alleged, in substance, **First**, that the defendant did distill spirits subject to the internal revenue tax and did defraud the United States of the tax on the same. **Second**, that they did fail to keep up the sign, "registered distillery" as required by the revenue laws. **Third**, that they did conduct the business of a distiller without giving the bond required by law. **Fourth**, that they did make a mash, fit for distillation in a building not a distillery duly authorized by law. The defendants made defense that the sections of the revenue laws which they were charged with violating had been repealed by the National Prohibition Act. The lower court sustained their contention and the case was appealed to the United States Supreme Court. The National Prohibition Act provides that all provisions of existing law, inconsistent there-

with, are repealed only to the extent of such inconsistency. It also provides that there "shall be assessed against, and collected from, the person responsible for such illegal manufacture and sale taxes in double the amount, with an additional penalty of \$500 on retail dealers and \$1,000 on manufacturers." Criminal prosecutions for violation of the penal provisions may also be invoked and penalties are provided therefor. The penalties under the sections of the National Prohibition Act which provide for criminal prosecutions are less severe than the penalties fixed under the internal revenue laws. The Supreme Court after a discussion of the various sections of the National Prohibition Act and the Internal Revenue Laws said:

"That Congress may, under the broad authority of the taxing power, tax intoxicating liquors notwithstanding their production is prohibited and punished, we have no question. The fact that the statute in this aspect had a moral end in view as well as the raising of revenue, presents no valid constitutional objection to its enactment. . . ."

"We agree with the court below that while Congress manifested an intention to tax liquors illegally as well as those legally produced, which was within its constitutional power, it did not intend to preserve the old penalties prescribed in Sec. 3257 (the revenue laws) in addition to the specific provision for punishment made in the Volstead Act. . . ."

The effect of this decision was to sustain the principle of a prohibitive tax as a constitutional method of enforcement. Upon the question of whether the penal provisions of the internal revenue law were repealed by the National Prohibition Act the decision cannot be regarded as conclusive for the Court was careful to point out that its opinion was based upon the interpretation of the indictment adopted by the lower court, the correctness of which upon such an appeal was not the subject of review. The court said:

"It is well settled that in cases of this character the construction or sufficiency of the indictments is not brought before us * * * . The questions before us solely concern the construction of the statutes involved, under an indictment pertaining to the production of liquor for beverage purposes * * * ."

The question of the effect of the National Prohibition Act upon the various provisions of the internal revenue laws had given rise to much difference of opinion among the various district courts. Congress provided in Section 5 of the Supplemental Prohibition Act, Public No. 96, 67th Congress, approved November 23, 1921, after the decision of the Supreme Court in this case, as follows:

"That all laws in regard to the manufacture and taxation of and traffic in intoxicating liquor, and all penalties for violations of such laws that were in force when the

National Prohibition Act was enacted shall be and continue in force, as to both beverage and nonbeverage liquor, except such provisions of such laws as are directly in conflict with any provision of the National Prohibition Act or of this act; but if any act is a violation of any of such laws and also of the National Prohibition Act or of this Act, a conviction for such act or offense under one shall be a bar to prosecution therefor under the other. All taxes and tax penalties provided for in section 35 of Title II of the National Prohibition Act shall be assessed and collected in the same manner and by the same procedure as other taxes on the manufacture of or traffic in liquor."

REFERENCE TO THE DECISIONS OF THE UNITED STATES SUPREME COURT CONSTRUING THE EIGHTEENTH AMENDMENT AND NATIONAL PROHIBITION ACT CHRONOLOGICALLY ARRANGED

Hamilton v. Kentucky Distilleries & W. Co., 251 U. S. 146, 40 Su. Ct. Rep. 106, 64 L. Ed. 194. Decided Dec. 15, 1919.

Ruppert v. Caffey, 251 U. S. 264, 40 Su. Ct. Rep. 141, 64 L. Ed. 260. Decided January 5, 1920.

United States v. Standard Brewery, 251 U. S. 210, 40 Su. Ct. Rep. 210, 64 L. Ed. 229. Decided January 5, 1920.

Hawke v. Smith, 253 U. S. 221, 64 L. Ed. 871. Decided June 1, 1920.

Rhode Island v. Palmer (cited under the head of the National Prohibition Cases by the official reporter) 253 U. S. 350, 40 Su. Ct. Rep. 486, 64 L. Ed. 946. Decided June 7, 1920.

Street v. Lincoln Safe Deposit Co., 254 U. S. 88, 65 L. Ed. 151, 10 A. L. R., 1548, 40 Su. Ct. Rep. 31. Decided November 8, 1920.

Dillon v. Gloss, 256 U. S. ———, U. S. Su. Ct. Adv. Op. 1921, No. 15, p. 611. Decided May 16, 1921.

United States v. Yuginovich, 256 U. S. ———, U. S. Su. Ct. Adv. Op. 1921, No. 16, p. 679. Decided June 1, 1921.

Corneli v. Moore, U. S. Su. Ct. Adv. Op. 1922, No. 8, p. 213. Decided January 30, 1922.

SEARCH AND SEIZURE—COMPELLING A PERSON TO BE A WITNESS AGAINST HIMSELF

[Prepared by the Legal Department of the Anti-Saloon League of America]

The adoption of the Eighteenth Amendment to the Constitution of the United States with the passage of the National Prohibition Act, divesting liquor possessed in violation of law of its character as property and providing for the search and seizure of such outlawed liquors, renders important a knowledge of the decisions of the Supreme Court of the United States under the fourth and fifth amendments to the Constitution. The question of search and seizure under the National Prohibition Act has not

yet been before the Supreme Court. The decisions here cited have arisen under other laws, but they may be regarded as setting forth the underlying principles of interpretation herein referred to. The Fourth and Fifth amendments were among ten amendments submitted to the several states on September 25, 1789, by the first Congress which convened after the inauguration of the government of the United States under the Constitution. The proposed amendments were ratified December 15, 1791. It does not appear from the journals of Congress that the legislatures of Connecticut, Georgia or Massachusetts ever ratified the amendments. The Fourth and Fifth Amendments are as follows:

Article IV.

"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

Article V.

"No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any Criminal Case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation."

An interesting history of how the principles embodied in the Fourth Amendment were incorporated into English law and finally came to be made a part of the Constitution of the United States will be found in the opinion of Mr. Justice Bradley, in the case of *Boyd vs. U. S.* 116 U. S. 616; 29 L. Ed. 746.

This case is one of great importance in any consideration of the Fourth and Fifth Amendments. In this case an action was brought under the revenue laws against the defendants for the forfeiture of a shipment of plate glass on which it was alleged the duty had not been paid. During the course of the trial it became material to prove the value and quantity of a previous shipment. In conformity with the provisions of an act of Congress of June 22, 1874, the lower court entered an order requiring the defendants to produce the invoice. This the defendants did and it was introduced in evidence. The defendants objected on the ground that the act of Congress authorizing it was unconstitutional as violating the Fourth Amendment in authorizing an unreasonable search, and the Fifth Amendment, in that it compelled them to give evidence against themselves. The Supreme Court held the act of Congress unconstitutional as contravening both

the Fourth and Fifth Amendments. Two members of the court held that the act contravened the Fifth Amendment only, as it had nothing to do with search warrants; it merely authorized the court to require the defendant to produce the papers. But the important feature of the decision in relation to the enforcement of the Eighteenth Amendment is to be found in the following from the opinion of the court:

" . . . It is our opinion, therefore, that a compulsory production of a man's private papers to establish a criminal charge against him or to forfeit his property is within the scope of the Fourth Amendment to the Constitution, in all cases in which a search and seizure would be; because it is a material ingredient and affects the sole object and purpose of search and seizure. . . ."

" . . . The seizure of stolen goods is authorized by the common law; and the seizure of goods forfeited for a breach of the revenue laws, or concealed to avoid the duties payable on them, has been authorized by English statutes for at least two centuries past; and the like seizures have been authorized by our own Revenue Acts from the commencement of the Government. The first statute passed by Congress to regulate the collection of duties, the Act of July 31, 1789, 1 Stat. at L. 43, contains provisions to this effect. As this Act was passed by the same Congress which proposed for adoption the original Amendments to the Constitution, it is clear that the members of that body did not regard searches and seizures of this kind as "unreasonable," and they are not embraced within the prohibition of the Amendment. So also the supervision authorized to be exercised by officers of the revenue over the manufacture or custody of excisable articles, and the entries thereof in books required by law to be kept for their inspection, are necessarily excepted out of the category of unreasonable searches and seizures. So also the laws which provide for the search and seizure of articles and things which it is unlawful for a person to have in his possession for the purpose of issue or disposition, such as counterfeit coin, lottery tickets, implements of gambling, etc., are not within this category. *Commonwealth vs. Dana*, 2 Not. 329. Many other things of this character might be enumerated."

In this language the court expressly recognizes the search and seizure provisions as they had existed in the revenue laws prior to the legislation then being considered by the court, as not being in contravention of the Fourth Amendment. Intoxicating liquor whether manufactured for beverage or non-beverage purposes is subject to a tax. The National Prohibition Act provides that upon liquor manufactured in violation of its terms there shall be assessed taxes in double the amount provided by existing law. Provision is also made for the imposition of a tax penalty of \$500 upon retailers and \$1,000 on manufacturers. The Supreme Court upheld the prohibitive tax as a valid enforcement principle in the

case of U. S. vs. Yuginovich, decided June 1, 1921, reported in U. S. Supreme Court Advance Opinion, No. 16, page 679.

The reference made by the court to the Revenue Laws and their history in the Boyd case is important because the National Prohibition Act enacted for the enforcement of the Eighteenth Amendment provides that officers in the enforcement of the Prohibition Act shall have all the power conferred by the Revenue Laws, so far as they are applicable. Under the provisions of the Revenue Laws officers have long had the right of entry, without a warrant, in certain instances to places where liquor was being manufactured or kept with the intent to defraud the government of the tax and have had authority to seize such liquor and apparatus. Under this power moonshining has been suppressed. While the rights of officers under these laws was not specifically before the Court in the Boyd case, Justice Bradley in his decision points out the existence of these customs at the time of the adoption of the Fourth Amendment and says such practices are necessarily excepted out of the category of unreasonable searches and seizures. This is a recognition of the fact that all searches without a warrant are not prohibited; but only unreasonable searches.

The right of Congress to authorize officers to make searches without a warrant in the enforcement of the revenue laws in certain instances has been recognized since the inception of the government; but this right is subject to limitations. In the case of Amos vs. United States, decided February 28, 1921, (No. 10 Advance Opinions, U. S. Supreme Court p. 316) the right of search under the revenue laws was involved. The defendant in this case was tried upon an indictment alleging a violation of the revenue laws. After the jury was sworn, but before any evidence was offered the defendant presented to the court a petition requesting the return to him of certain private property which it was averred the district attorney intended to use in evidence against him. The petition stated that two officers of the revenue went to the defendant's home, and, not finding him there, but finding a woman who said she was his wife, told her they were revenue officers, and had come to search the premises for violations of the revenue law, that thereupon the woman opened the store and the officers entered and in a barrel of peas found a bottle containing not quite a half-pint of blockade whisky. They then went into the home of the defendant, and, on searching, found two bottles of whisky under the quilt on the bed. The evidence showed the officers had no warrant for the search. The defendant was convicted and appealed. The Government relied upon two points in the argument before the Supreme Court. First, that the objection was too late coming after the trial had begun. Second, that the wife of the defendant had waived his rights by consenting to the search. The Court upon the authority of the Gouled case hereinafter referred to held the objection to the introduction of the evidence was not too late. Upon the second point the court, without passing upon

the question of whether a wife in the absence of her husband could waive his constitutional rights, said that under the facts in this case there was an implied coercion indicating that no such waiver was intended. The lower court was reversed and the case remanded. The record, brief of the government, and opinion of the Court in this case are very brief. No reference to the statutes authorizing entry and search without a warrant in certain instances was raised and no distinction was made between the home and the store. The Court said:

"This statement shows that the trial court denied the petition of the defendant for a return of his property, seized in the search of his home by government agents without warrant of any kind, in plain violation of the Fourth and Fifth Amendments to the Constitution of the United States, as they have been interpreted and applied by this court."

This case may be said therefore to sustain the principle repeatedly recognized in statutes and court decisions that a search of the home of the citizen without a search warrant is an unreasonable search and a violation of the rights guaranteed by the Fourth Amendment. The scope of the decision cannot be extended beyond this point as the right of Congress to authorize a search without a warrant in other instances was not raised or decided.

Congress, in the National Prohibition Act made a distinction between the search of a home and other places. Section 25 of that Act provides:

"No search warrant shall issue to search any private dwelling occupied as such unless it is being used for the unlawful sale of intoxicating liquor, or unless it is in part used for some business purpose such as a store, shop, saloon, restaurant, hotel, or boarding house."

This distinction is again made in Section 6 of the Supplemental Prohibition Act, Public No. 96, Sixty-seventh Congress, approved November 23, 1921, Section 6 of which reads in part:

"That any officer, agent, or employee of the United States engaged in the enforcement of this Act, or the National Prohibition Act, or any other law of the United States, who shall search any private dwelling as defined in the National Prohibition Act, and occupied as such dwelling, without a warrant directing such search, or who while so engaged shall without a search warrant maliciously and without reasonable cause search any other building or property, shall be guilty of a misdemeanor and upon conviction thereof shall be fined for a first offense not more than \$1,000, and for a subsequent offense not more than \$1,000 or imprisoned not more than one year, or both such fine and imprisonment."

In this connection attention is also called to another class of search without a warrant which has been excepted from the oper-

ation of the Amendment. That is the common law right of officers to arrest without a warrant a person committing an offense in their presence when authorized to do so either by common law or statute, and to seize the evidence or implements of crime. In the Weeks case, 232 U. S. 390; 58 L. Ed. 655, the court said:

"What, then, is the present case? Before answering that inquiry specifically, it may be well by a process of exclusion to state what it is not. It is not an assertion of the right on the part of the government, always recognized under English and American law, to search the person of the accused when legally arrested, to discover and seize the fruits or evidence of crime. This right has been uniformly maintained in many cases. 1 Bishop, Crim. Proc. Sec. 211; Wharton, Crim. Pl & Pr. 8th ed. Sec. 60; Dillon vs. O'Brien, 16 Cox, C. C. 245; Ir. L. R. 20 C. L. 300; 7 Am. Crim. Rep. 66.....Nor is it the case of burglar's tools or other proofs of guilt found upon his person within the control of the accused."

Congress incorporated this common law principle in the National Prohibition Act. Section 26 provides that whenever any officer shall discover any person in the act of transporting liquor in an automobile or other conveyance in violation of law, such officer may arrest the offender and seize the liquor and automobile or other conveyance for disposition as provided by law. It was recognized that in such cases it would be both impossible and unnecessary to obtain a warrant in advance.

The Boyd case is authority for another principle. It establishes the rule of law that a statute which authorizes a search merely for the purpose of obtaining evidence is invalid, while one authorizing a search and seizure of a commodity, possession of which is unlawful, is valid. In this connection it should be remembered that the National Prohibition Act, Section 25, provides that it shall be unlawful to have or possess any liquor or property designed for the manufacture of liquor intended for use in violation of law, or which has been so used, and that no property rights shall exist in any such liquor or property. Since the adoption of the Eighteenth Amendment and the passage of the National Prohibition Act, liquor possessed, sold or used in violation of law is outlawed and comes within that category of articles and things the possession of which is unlawful, expressly excepted by Mr. Justice Bradley in the language above quoted. The seizure of such liquor by the government is not for the purpose of obtaining evidence against the accused, but for the securing or removing of the commodity itself from use as being injurious to the general welfare of its citizens. The use of the seized liquor as evidence is but an incident and not the primary object of such seizure. Just as in the case of counterfeiting tools, the underlying motive in the seizure of such implements is not that the offender may be punished, but that the people as a whole may be protected through the preservation of the government credit. This is illustrated in the case of abandoned property. The mere fact that counterfeit-

ing tools or liquor have been abandoned by the owner does not prevent their seizure, whereas if their seizure was based primarily upon their evidential character against the owner, their seizure would be precluded when there was no owner or the owner was unknown.

This distinction is more clearly seen when the character of the articles seized in the Boyd case is considered. There the papers required to be produced or seized was an invoice of a shipment of goods. This could be desired simply for the purpose of its use as evidence, there being nothing unlawful in the possession of the invoice itself. This principle laid down in the Boyd case has been reaffirmed in one of the most recent decisions of the Supreme Court, that of *Gouled vs. United States*, decided February 28, 1921, United States Supreme Court Advance Opinions No. 10, p. 311.

In this case the defendant, Gouled, was charged along with several others with conspiring to defraud the government in connection with certain government contracts for clothing and equipment. One Cohen, a private in the army attached to the Intelligence Department and an acquaintance of the defendant, Gouled, under direction of his superior officer, pretending to make a friendly call upon the defendant gained admission to his office and in his absence, without a warrant of any character, seized and carried off certain documents belonging to the defendant. These were admitted in evidence at the trial over the objection of the defendant that they were seized and introduced in violation of his rights under the Fourth and Fifth Amendments, certain other papers of an evidential character which were seized under a search warrant were also introduced over the same objection. There were six questions certified to the Supreme Court for its opinion. They were as follows:

First:

"Is the secret taking, without force, from the House or office of one suspected of crime, of a paper belonging to him, of evidential value only, by a representative of any branch or subdivision of the government of the United States, a violation of the Fourth Amendment?"

The Court answered this in the affirmative.—Holding that such methods constituted an unreasonable search within the meaning of the Fourth Amendment.

Second:

"Is the admission of such paper in evidence against the same person, when indicted for crime, a violation of the Fifth Amendment?"

Upon the authority of the Boyd (above quoted) case the law also answered this in the affirmative stating that:

"Although search warrants have thus been used in many cases ever since the adoption of the Constitution, and although their use has been extended from time to time to meet new cases within the old rules, nevertheless it is clear that, at common law and as

the result of the Boyd and Weeks cases, *supra*, they may not be used as a means of gaining access to a man's house or office and papers solely for the purpose of making search to secure evidence to be used against him in a criminal or penal proceeding, but that they may be resorted to only when a primary right of such search and seizure may be found in the interest which the public or the complainant may have in the property to be seized, or in the right to the possession of it, or when a valid exercise of the police power renders possession of the property by the accused unlawful, and provides that it may be taken."

Third:

"Are papers of no pecuniary value, but possessing evidential value against persons presently suspected and subsequently indicted, when taken under search warrants from the house or office of the person suspected, seized and taken in violation of the Fourth Amendment?"

The Court answered this in the affirmative, saying:

"That the papers involved are of no pecuniary value is of no significance.....The government could desire its possession only to use it as evidence against the defendant, and to search for, and seize it for such purpose was unlawful."

Fourth:

"If such papers, so taken, are admitted in evidence against the person from whose house or office they were taken, such person being then on trial for the crime for which he was accused in the affidavit for warrant,—is such admission in evidence a violation of the Fifth Amendment?"

The court held that the papers having been obtained by an unlawful search to permit them to be used in evidence would be in effect to compel the defendant to give evidence against himself.

Fifth:

"If, in the affidavit for search warrant under Act of June 15, 1917, the party whose premises are to be searched be charged with one crime, and property be taken under the warrant issued thereon, can such property so seized be introduced in evidence against said party when on trial for a different offense?"

The court said:

"It has never been required that a criminal prosecution should be pending against a person in order to justify search for and seizure of his property under a proper warrant.".....

"We see no reason why property seized under a valid search warrant, when thus lawfully obtained by the government, may not be used in the prosecution of a suspected person for a crime other than that which may have been described in the affidavit as having been committed by him."

This is important in the prosecution of liquor cases because it establishes the principle that though the affidavit upon which the search warrant is issued may allege only one offense, the government is not thereby prevented from prosecuting for as many

offenses as the facts will justify and may introduce the evidence seized under the search warrant to sustain the several charges, provided the seizure was lawful in its inception; and for the further proposition, that the seizure of outlawed property is independent of the criminal prosecution against the individual. It is not necessary to the validity of a seizure of outlawed liquors that a criminal prosecution be pending against any person in connection therewith.

Sixth:

"If papers of evidential value only be seized under a search warrant, and the party from whose house or office they are taken be indicted,—if he then move before trial for the return of said papers, and said motion is denied,—is the court at trial bound in law to inquire as to the origin of or method of procuring said papers when they are offered in evidence against the party so indicted?"

The court said:

"We think, rather, that it is a rule to be used to secure the ends of justice under the circumstances presented by each case; and where, in the progress of a trial, it becomes probable that there has been an unconstitutional seizure of papers, it is the duty of the trial court to entertain an objection to their admission, or a motion for their exclusion, and to consider and decide the question as then presented, even where a motion to return the papers may have been denied before trial."

The language here used overrules, or at least modifies, what has heretofore been recognized as the rule of law in such cases since the decision of the United States Supreme Court in the case of *Adams vs. New York*, 192 U. S. 585; 48 L. Ed. 576. In that case *Adams* was indicted for a violation of a gambling statute of the state of New York prohibiting the game of policy. The officers under a search warrant raided his office and seized not only the policy slips but also certain private papers unconnected with the charge of gambling for the purpose of identifying the hand writing of the defendant. These papers were introduced in evidence over the objection of the defendant that it constituted a violation of his constitutional rights under the Fourth and Fifth Amendments. No motion appears to have been made in this case for the return of the papers and no objection offered until the time they were in evidence at the trial. The Supreme Court declined to interfere with the ruling of the lower court in admitting the papers in evidence and based its decision upon the rule of law that during the course of a trial the court will not stop to inquire into collateral issues, such as the method by which evidence was obtained. This case was decided in 1904. Since that time there have been several references to it by the court in subsequent cases, in some of which it was attempted to distinguish it from the case then under consideration while in others its soundness is apparently questioned. In the case of *Weeks vs. U. S.* 232 U. S. 382; 58 L. Ed. 652, decided in 1914, certain police officers of

Kansas City, Missouri arrested the defendant on the charge of the sale of lottery tickets. Other officers went to his home in his absence and without a warrant searched his room and seized certain papers and articles. They later returned to his room with the United States Marshal, to whom they had delivered the seized articles, and made further search for additional evidence. The defendant filed a petition seeking the recovery of the seized articles alleging that they had been unlawfully seized and asserting that it was proposed to use them as evidence against him in the pending trial in violation of his constitutional rights. The court directed the return of some of the papers but permitted the prosecuting attorney to retain certain lottery tickets and memoranda relating thereto which were admitted in evidence. The Supreme Court reversed the ruling of the lower court and held that since the evidence had been obtained through an illegal search and the defendant had made a seasonable application for its return its admission in evidence contravened the constitutional rights of the defendant. Emphasis seems to have been laid upon the time at which the objection was made. In this case a petition for return of the seized articles having been filed while in the Adams case no objection was offered until during the trial. It is difficult to distinguish the Adams case from the Weeks case in principle, for if a constitutional right has been violated and it is made to appear at any time during the trial it would seem that justice would demand recognition of the fact. The Supreme Court seems to have adopted this view in its more recent decisions, for in the case of *Silverthorne Lumber Co., vs. U. S.* 251, U. S. 385; 64 L. Ed. 319, in 1920 referring to the Adams case, it was said:

"Whether some of these decisions have gone too far, or have given wrong reasons, is unnecessary to inquire."

In the very recent case of *Gouled*, cited above, in response to the sixth question as has been shown, the court practically discarded the rule of the Adams case and it may be regarded as settled that evidence obtained upon an illegal search by any officer of the Federal Government is inadmissible in evidence against one charged with crime even though objection be made for the first time at the moment it is sought to be introduced. This decision has a very important bearing upon the enforcement of the Eighteenth Amendment as officers who are careless in observing the requirements of the law in making such searches and seizures will fail in the criminal prosecution of the offender because of their inability to introduce the evidence necessary to convict and the offender will escape punishment notwithstanding his evident guilt. The *Silverthorne* case referred to above also involved the question of how far a corporation is protected by the Fourth Amendment, it being contended by the government that a different rule applied to corporations as distinguished from natural persons. The Court said:

"The rights of a corporation against unlawful searches and seizures are to be protected, even if the same result might be

achieved in a lawful way, i. e., by an order for the production of its books and papers."

This case presented a further question which may be summarized as follows: How far may the government use evidence which was originally obtained by an unlawful search but which is returned and subsequently required to be produced by lawful process? The books and papers of the corporation in this case were seized upon a void subpoena. They were ordered returned by the court but before this was done photographs and copies of this material as evidence were made and subsequently a valid subpoena was issued requiring the production of the original papers. Of this the court said:

"It reduces the Fourth Amendment to a form of words. The essence of a provision forbidding the acquisition of evidence in a certain way is that not merely evidence so acquired shall not be used before the court, but that it shall not be used at all."

But the court follows this sweeping language with the following limitation:

"Of course this does not mean that the facts thus obtained become sacred and inaccessible. If knowledge of them is gained from an independent source they may be proven like any others, but the knowledge gained by the government's own wrong can not be used by it in the way proposed.

This is important in the prosecution of liquor cases because in instances in which the courts hold that unlawful search has been made and that evidence so obtained cannot be introduced the prosecution of the offender need not fail where the facts can be proven by evidence obtained from sources independent of the unlawful seizure.

The question of how far the limitations of the Fourth and Fifth Amendments are binding upon the States and State officers was raised in the Adams case but the Court declined to pass upon it on the grounds that it was unnecessary to the decision in that case. It was again raised in the Weeks case and definitely decided. There the court held that the limitations of the Fourth Amendment reach only the Federal government and its agencies. It does not reach the States or State officers when not acting under any claim of Federal authority. In the Gouled case a private in the United States army was held to be an agent of the Federal government within the meaning of the Fourth Amendment. A very recent case decided by the Supreme Court, that of *Burdeau vs. McDowell*, decided June 1, 1921; United States Supreme Court Advance Opinions No. 16, p. 683 involved the question of the scope of the Fourth Amendment. It presented the novel question of the admissibility of evidence of certain papers of an incriminating character which were alleged to have been stolen from the petitioner by persons who were not officers, being wholly unconnected with the government in any way. These persons it was alleged had entered the office of the petitioner, drilled his safe and removed his papers which they turned over

to the District Attorney as a basis for a prosecution of the petitioner for the fraudulent use of the mail. It was contended that the use of these papers, so obtained, as evidence would be a violation of the constitutional rights of the petitioner. The Supreme Court held that the security afforded by the United States Constitution, Fourth Amendment, against unreasonable search and seizures, applies solely to governmental action. It is not involved by the unlawful acts of individuals in which the government has no part. Of the Fifth Amendment it was said:

"The Fifth Amendment, as its terms import, is intended to secure the citizen from compulsory testimony against himself. It protects from extorted confessions, or examinations in court proceedings by compulsory methods."

Two Justices dissented from the views expressed in the majority opinion.

Ruling by Attorney General Daugherty

SYNOPSIS OF OPINION OF ATTORNEY GENERAL DAUGHERTY ON APPLICATION OF EIGHTEENTH AMENDMENT AND NATIONAL PROHIBITION ACT TO VESSELS OF THE UNITED STATES ON THE HIGH SEAS AND TO FOREIGN VESSELS WITHIN THE THREE-MILE LIMIT OF UNITED STATES.

CIRCUMSTANCES WHICH GAVE RISE TO THE OPINION.

On June 23, 1922, the Secretary of the Treasury of the United States wrote the Attorney General enclosing a copy of an opinion written by the General Counsel of the United States Shipping Board holding that the Eighteenth Amendment did not apply to vessels of the United States upon the high seas, stating that in conformity with this opinion intoxicating liquors were being sold on vessels of the United States outside of the territorial waters of the United States.

The Secretary of the Treasury requested a reconsideration of the ruling made by Honorable William L. Frierson, acting Attorney General under the former administration on November 1, 1920, wherein it had been held that the National Prohibition Act applied to vessels of the United States on the high seas.

The further question was asked concerning the application of the Eighteenth Amendment and National Prohibition Act to foreign vessels when within the territorial waters or three-mile limit of the United States in view of the decision of the United States Supreme Court in *Grogan v. Walker and Anchor Line v. Aldridge*, May 15, 1922.

QUESTIONS OF LAW INVOLVED

1. Do the Eighteenth Amendment and National Prohibition Act apply to vessels of the United States upon the high seas?
2. Do the Eighteenth Amendment and National Prohibition Act apply to foreign vessels within the territorial waters or three-mile limit of the United States?

PERTINENT PART OF EIGHTEENTH AMENDMENT.

Section 1. "After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited."

**THE EIGHTEENTH AMENDMENT AND NATIONAL PROHIBITION
ACT APPLY TO ALL VESSELS OF THE UNITED
STATES EVERYWHERE.**

In answer to the first question the Attorney General said:

"I believe from the study of the history of conditions out of which the Eighteenth Amendment grew it is equally clear that the words 'territory subject to the jurisdiction of the United States' carry the intent to extend its provisions over every spot where the flag of America flies. . . . I am of the opinion that under the rules of fair intendment, American ships wherever they may be are included in the terms of the Eighteenth Amendment, 'territory subject to the jurisdiction of the United States,' so that manufacture, transportation or sale of intoxicating liquors for beverage purposes is prohibited thereon."

The reasons given as sustaining this view may be epitomized as follows:

"The mischief to be prevented in Prohibition enactments has been construed as the use of intoxicating liquor as a beverage (See *Crane v. Campbell*, 245 U. S. 304). A glance at contemporary history and the conditions of affairs out of which the adoption of the Eighteenth Amendment arose compels admission that it represents the culmination of fifty years' struggle of the American people to effectively settle the problems arising from the use of intoxicating liquor as a beverage. . . . To hold that the intent of Congress in proposing the wording of the Amendment, and of the states in ratifying it, was anything less than to extend its inhibitions where the judicial arm of this government extended for any purposes, is to fail to apply all the rules the Supreme Court has laid down for arriving at the intent of Constitutional enactments." National Prohibition Cases, 350 U. S. 350; *Craig v. Missouri*, 4 Pet. 410, 431; *McCulloch v. Maryland*, 4 Wheat, 316; *Kendall v. United States*, 12 Pet. 524; *Maxwell v. Dow*, 176 U. S. 581.

"Our diplomatic correspondence and the opinions of the courts have uniformly considered that insofar as the restraining and protecting jurisdiction of our government is concerned, American ships whether owned by the government or by private citizens or corporations are in many respects territory of the United States." For purposes of civil and criminal jurisdiction; the *Scotia*, 14 Wall. 170, 184; *U. S. v. Rodgers*, 150 U. S. 249; *Crapo v. Kelly*, 16 Wall. 610; *Lindstrom v. International Navigation Company*, 117 Fed. 170; *Mr. Blair, Secretary of State, to Mr. Ryan, Minister to Mexico*, Nov. 27, 1889, (*Moore's Int. Law Digest*, Vol. I, p. 931; *Mr. Webster, Secretary of State, to Lord Ashburton*, August, 1842; *St. Clair v. United States*, 154 U. S. 134, 152; *United States v. Smiley*, 6 Sawy. 640, 645; *Wilson v. McNamee*, 102 U. S. 572; *Manchester v. Mass.*, 139 U. S. 240; for purposes of taxation, *People v. Com. of Taxation*, 58 N. Y. 242; *Olsen v. San Francisco*, 83 Pac. 850; *Pilotage Laws*; *Wilson v. McNamee*, 102 U. S. 572, 574; *Laws concerning assignment*, *Crane v. Kelly*, 16 Wall. 610; *Manchester v. Mass.*, 139 U. S. 240; *Old Dominion Steamship Company v. Gilmore*, 206 U. S. 402, 403; for purposes of extradition; *Moore on Extradition*, Vol. 1, page 135, section 104; *Vogt 14 Op. Att. Gen.*, 281; *Wharton's State Trials*, pages 392, 403, 404; *Seale's Cases on Conflict of Laws*, section 22, page 506.

"It is urged that Acts passed under Art. 1, Sec. 8, Clause 10, of the Constitution, all carry the express provision that they shall apply on the high seas, whereas the National Prohibition Act does not contain such plain extension. But the difference between the two provisions of the Constitution, by authority of which the laws emanate is material. Art. 1, Sec. 8, Clause 10, gives Congress power to define and punish piracies and felonies committed on the high seas, which offenses by their nature had formerly remained solely in the power of the State to handle. Article I of the Constitution prohibited nothing, nor did it define an offense. Of course, therefore, it was necessary for the Act of Congress to define the offense, provide for its punishment and make provision as to its jurisdiction, since all the regulatory power lay in the Congressional enactment, not in the Constitutional provision. The Eighteenth Amendment is quite different. It is really a law itself, as well as a declaration of an organic constitutional principle. From its terms alone flows the real prohibition. Palpably therefore, since by the force of the Amendment, prohibition is carried everywhere within the confines of the sovereignty of the United States, the National Prohibition Act passed to facilitate its enforcement and punish its violation would be co-

extensive therewith." See Thirteenth Amendment to the Constitution of the United States, Civil Rights Cases, 109 U. S. 320; Art. III, Sec. 3. Cl. 1 of United States Constitution, *United States v. Greathouse*, 4 Sawy. 457.

"The Shipping Board has frequently sought to punish offenses committed against its property on the high seas by maintaining the applicability of general criminal statutes such as Sec. 37 and Sec. 35 of the Penal Code of the United States, to crimes committed on the high seas (See *United States v. Hawkins*, So. District of N. Y., also *United States v. Bowman*, et al., now pending in the Supreme Court of the United States, Rocket No. 69). It would be inconsistent for American vessels to enjoy the protection of laws of general jurisdiction and fail to be governed by the prohibitions of one of similar jurisdiction."

"In the case of *United States v. 254 Bottles of Intoxicating Liquors*, Southern District of Texas, May 4, 1922, the court announces that 'the sole question for decision is, had the master the right to possession of the goods on board ship (of United States) on the high seas and was this possession in violation of the National Prohibition Act?' And then holds that such possession was a violation of the law, for which the stores were forfeited and the owner liable to punishment."

THE PROHIBITIONS OF THE EIGHTEENTH AMENDMENT AND NATIONAL PROHIBITION ACT APPLY TO FOREIGN VESSELS WITHIN THREE-MILE LIMIT OF UNITED STATES.

In response to the second question the Attorney General said:

"I am forced to the opinion, under the ruling of the Walker and Anchor Line decisions (U. S. Su. Ct., May 15, 1922) that foreign ships carrying intoxicating beverage liquors as ship stores or otherwise within the three-mile limit of our shores are violating the provisions of the National Prohibition Act, prohibiting possession or transportation of intoxicating liquor for beverage purposes. The Supreme Court therein has held that it is not material that the liquors may not be intended for beverage uses within the United States, because the court emphasized that the Eighteenth Amendment marks a revolution in our former national policy toward intoxicating liquor and does not confine its prohibition in any meticulous way within the United States, but on the contrary its intent was as far as possible to 'stop the whole business.'"

In support of this part of the opinion the following points are made:

"It is a long established principle of municipal and international law that a nation has the right to make and enforce laws covering its territorial waters as well as its land. In *United States v. Diekelman*, 92 U. S. 520, 525, Mr. Chief Justice Waite states: 'The merchant vessels of one country visiting the ports of another for the purpose of trade subject themselves to the laws which govern the port they visit, so long as they remain.' " (See also Moore's International Law Digest, Vol. II, 275 et seq.) Mr. Bayard, Secretary of State, to French Minister, 1885; *Wildenhaus Case*, 120 U. S. 11, 12.

"That the innocence of any intent to 'put them down' or use them in the United States is not material in determining whether the transportation is a violation of the law is determined by the Walker and Anchor Line cases (supra) where the court decided that intoxicating liquor stored on one British ship could not lawfully be removed to another British ship in the New York harbor, although it was admittedly destined for beverage uses outside the United States. Furthermore, the National Prohibition Act prohibits possession as well as transportation of intoxicants for beverage purposes, irrespective of where they are to be put to such beverage use. Under the reasoning of the court in the Walker and Anchor Line cases (supra), it is no argument for the legality of foreign ships possessing and transporting intoxicating liquors in and across our waters, that they do not intend to use the liquors until after leaving the jurisdiction of the United States. . . . Are we then to argue that such inflexible provisions of law, declared by our Supreme Court as the Constitutional policy of our country shall apply to our own citizens, but be abandoned when we deal with ships of a foreign nation? To do so would be a grievous surrender of our sovereignty. And it is outside the province of an executive or administrative officer of the government to read into the law and the Constitution an exception not spe-

cifically contained therein.. Particularly should it be avoided when the results of granting the privilege to foreign ships would be to produce manifestly unfair conditions of competition for our own citizens and shipping interests. . . . The court carefully considered this whole question in connection with the Walker and Anchor Line cases and went so far as to hold that the Eighteenth Amendment and the National Prohibition Act repealed a prior existing treaty with Great Britain.

"Prior to the sweeping and comprehensive construction placed upon the prohibition law in those cases, (Grogan v. Walker, Anchor Line v. Aldridge) it might possibly have been arguable whether liquors forming a part of the ship stores on vessels within territorial waters might be regarded as an implied exception to the National Prohibition Act. Whatever doubts that may have previously existed have been swept away by the language of the majority opinion in those cases."

Scientific Facts

By Miss Cora Frances Stoddard, B. A.,
Secretary, Scientific Temperance Federation

A NEW EXPLANATION OF ALCOHOLIC FERMENTATION

A third explanation of the process of fermentation is now added to the two somewhat diverse ones previously held. The first of these, advanced by Pasteur, is that alcohol is a product of a chemical change, or breaking up, of sugar in proper solution caused by the yeast plant taking some of the oxygen of the sugar for its own needs, probably for respiration. The disintegration of the sugar, according to this explanation, is followed by a rearrangement of its elements into the two new substances, carbon dioxide and alcohol.

The second explanation is that the yeast plant feeds on the sugar, absorbing it for nourishment and excreting carbon dioxide and alcohol as waste products. This theory has not accorded with the results of experiments which have shown that if yeast cells are pulverized, destroying the life of the cells, and their fluid pressed out, this fluid will cause alcoholic fermentation.

The third explanation now offered is the result of experiment in which a fatty substance similar to that in the outer membrane of the yeast cell was used to coat particles of fibrin, creating thus an imitation of the yeast cell, with an inner composition of lifeless matter instead of living protoplasm. When this artificial yeast was placed in a fermentable sugar solution, alcoholic fermentation took place and carbon dioxide and alcohol were formed. The conclusion drawn from this experiment is that fermentation is a decomposition process taking place at the surface of yeast cells, at the colloidal (jelly like) surface of yeast juice, and at the surface of artificial cells coated with fatty substances resembling those in the outer membrane of yeast cells.

In substance, this explanation is not so much a contradiction as an advance upon Pasteur's view that the change occurring in sugar during fermentation is essentially a chemical change or cleavage.

ALCOHOL A CELL POISON

An important constituent of the cells, especially of the enclosing membrane, is a fatty substance called lipid. Alcohol is one of a class of substances that dissolves lipoids. The destruction or breaking up of the lipoids of the cells is indicated by the presence in the blood of a fatty material called cholesterin. Experiments were conducted recently by Prof. V. Ducceschi, director of the Physiological Laboratory of the University of Pavia, to ascertain whether alcohol produced in the blood the presence of fats indicating the breaking down of the lipoids of the cells. He found that these fats increased very markedly in the blood of dogs at the end of two or three days after he began giving them large doses of alcohol. If the alcohol was stopped, the fats began in a few days to disappear from the blood.

A similar study was made of the effects of alcohol on the cells of the human body by the examination of the blood of 66 heavy drinkers, and, for comparison, the blood of 55 abstainers. The abstainers were obtained from a house of detention which strictly prohibits the introduction of any kind of alcoholic liquors.

The drinkers were obtained for the most part in the police stations from those held over Saturday and Sunday on account of drunkenness—a fact to be noted separately in view of the frequent assertion that there is no drunkenness in wine-drinking countries. An additional fact of importance is that the 66 heavy drinkers were a selected lot. All who showed even a suspicion of diseases of the liver, kidneys or bloodvessels, conditions known to affect the amount of fatty matters in the blood, were rejected. The result showed that 51 of the abstainers (76.4%) had either low or normal amounts of the fats in question in their blood while 83 per cent of the drinkers were found to have amounts that were high or above normal.

The conclusion reached was that alcohol causes important changes in material composing the living cell. This brings additional support to the increasing number of medical writers who call alcohol a protoplasmic poison,

EFFECTS OF LIQUORS OF LOW ALCOHOL PERCENTAGE

Studies of the comparative effects of beer and whisky, made for the British Central Control Board (Liquor Traffic), were published under the imprint of the Medical Research Committee of the National Health Insurance in 1919 and 1920. The first report issued Feb. 7, 1919, told of a series of experiments by Dr. Edward Mellanby on the absorption of alcohol into the blood under various conditions and strengths of solution. The chief results were (1) The amount of alcohol in the blood, and probably the rate of its accumulation, influences the degree of intoxication; (2) weak alcoholic solutions are less intoxicating than strong ones containing the same amount of alcohol, but the difference in effects between the two classes of solutions is less marked with small doses than with large amounts; (3) food-stuffs, particularly milk, delay absorption, although the delay appears to be due to some other factor than dilution, for the retardation is evident 3 hours after the milk is taken, long past the time when the fluid part would have been absorbed; (4) water taken as long as 2 hours before the alcohol hastens its absorption, and so does a previous alcoholic drink. The same amount of alcohol in a drink taken 2 or 3 hours after a previous one will produce signs of intoxication not manifested after the first drink. (5) After strong solutions, such as whisky, the symptoms come on more rapidly than with stout and other dilute solutions, but the symptoms also subside more rapidly. A drawing test showed very poor drawings after intoxication on whisky but improvement began about an hour and a half after the whisky was taken. The same amount of alcohol in beer was also followed by very poor drawings but no improvement occurred for at least four hours after the beer was taken. The disability caused by beer lasted longer. (6) Alcohol accumulates in the blood rapidly, but leaves the blood very slowly. A single dose may not be entirely eliminated after 18 to 24 hours.

Another series of experiments was on mental and manual work, carried out by Dr. H. M. Vernon, and published by the Medical Research Committee in June, 1919. The effect of different kinds of liquors, of different strengths of solution, and

of the presence or absence of food was tested on various kinds of mental and skilled work, such as adding, typewriting, target-pricking.

These, like the preceding experiments (Mellanby's) were desired by the Liquor Control Board as a guide to further regulations of the liquor traffic after the expiration of the war restrictions. The scope and character of the tests were devised in accordance with this object. The results obtained, however, while furnishing the comparisons desired, showed that the effects of the various liquors depended primarily on the quantity of alcohol taken, that while strength of solution and rapidity of absorption varied somewhat the degree of impairment, they did not prevent some loss of efficiency. The summary states that "Alcohol produced some effect in all of the individuals tested by the typing and adding machine methods." In the target-pricking, "after taking 30 c.c. (1 oz.) of alcohol (equivalent to the amount in about $1\frac{1}{2}$ pints of 4 per cent beer) the target-pricking errors increased 12 per cent. After $1\frac{1}{2}$ ounces the errors increased 43 per cent. The impairment here was much greater in proportion than the increase in the dose.

The third report containing experiments by Dr. William McDougall on "The Effects of Alcohol and some other Drugs During Normal and Fatigued Conditions" demonstrated an effect of alcohol of more practical importance than all of the findings on comparative effects. This was evidence brought out by experiments in choice reaction showing that small doses of alcohol weakened restraint, or self-control. A tape containing red and blue circles was passed rapidly before the persons who were required to mark the red circles but not the blue ones. After doses of alcohol ranging from 10 c. c. (the amount in 1-3 of a pint, or one large glass of beer) to 25 c. c. more blue circles were marked, showing loss of power to restrain action.

Judgment was also weakened, as shown by the subject's belief that he did better work after alcohol than before, while he actually did poorer work.

Accuracy was impaired 21 per cent in a series of experiments with 10 c. c. doses of alcohol, 40 per cent by 15 c. c. and 113 per cent with 25 c. c. doses.

MORE TESTS SHOWING ALCOHOL REDUCES EFFICIENCY IN SPORTS

Experiments on 31 athletes, reported by Herzheimer, (Münchener med. Wochenschr., Feb. 3, 1922) showed that the ingestion of small quantities of alcohol (7 c. c. of 96 per cent alcohol, diluted) four to six minutes before the men entered upon 100 meter runs and 100 meter swims reduced their performance considerably. Runners who received no alcohol ran the course in less time than those to whom the dose of alcohol was given. The results for the swimmers who were given no alcohol were also correspondingly better. This corresponded to a gain of 2 meters in the course.

ALCOHOL POISONING LIFE AT ITS SOURCE

New evidence of the injurious effect of alcohol on the reproductive tissues is reported by Dr. Alexander Kostitch from the University of Strassburg. Alcohol was given to rats in amounts sufficient to produce drunkenness, which, as with man, required gradually increasing doses as their systems became accustomed to it. While the rats, to all outward appearance remained healthy, microscopic examination of internal organs revealed marks of alcoholic injury. The reproductive cells were found to be more susceptible to injury by alcohol than the liver cells. Their injuries were often far advanced before the liver cells began to show degeneration.

Similar findings were reported by Ada Arlitt (Journal American Medical Association, Nov. 20, 1920.) Doses of from 0.25 c. c. to 2.25 c. c. produced sterility in both sexes, as well as a large proportion of still-births and a high mortality in the progeny, the effects appearing in subsequent generations of the survivors. All degrees of abnormality and deficiency were found in the reproductive cells of the alcoholized rats, from slight degenerative changes to complete sterility.

Rats alcoholized for 16 days were slower in learning the way to food placed at the end of a maze than rats which had received no alcohol. Lower mental efficiency in the maze test was shown also by the descendants of alcoholized male or female rats, for at least two or three generations.

Dr. Agnes Bluhm, experimenting on white mice, found that when males were alcoholized, half of their matings were sterile.

The fertility of females was still more impaired. The litters being smaller, the few not dying in the early pre-natal stages grew to larger size, which explains the occasionally large specimens.

There were frequent deformities and sub-normal intelligence among the progeny of the alcoholized animals. When the descendants of a single alcoholized parent were mated with normals only, the original injury to the germ plasm often continued to the fourth generation.

MENTAL DISORDERS FROM MOONSHINE NOT OF THE OLD DELIRIUM TYPE

The users of bootleg whisky do not develop the old type of mental disorders produced by pre-Prohibition liquors. Hospital physicians see few cases of delirium tremens, hallucinations and the other forms of brain poisoning familiar in pre-Prohibition days. The most common mental effect seen in the users of "moonshine", according to Dr. Lenahan, Physician to the Chicago State Hospital, are "stuporous states in which the patient becomes more or less unconscious and from which he either dies or recovers, and when he does recover he does not remember anything that happened to him during the time he was unconscious. . . . Apparently different toxins attack different nerve cells. While the non-volatile alcohol in bonded whisky seems to intoxicate the nerve cells in the special centers and we have in the majority of cases different forms of hallucination, the volatile acids in moonshine seem to attack the nerve cells in the associated centers, and in the majority of the moonshine cases we have all degrees of unconsciousness with impairment of judgment."

Dr. Charles Sceieth of Chicago makes further comparison between the old and the new alcohol poisoning (Jour. Amer. Med. Asso., Jan 14, 1922). Omitting technicalities, he says that hospital attendants who were able in the past to recognize delirium tremens patients as such are now likely to classify them as insane. While the majority of these cases develop in the old chronic alcoholics, some patients give a history of only two years' chronic alcoholism, with an acute alcoholic spree of from six weeks to six months. In these cases the onset of delirium is sudden, without preceding fear and apprehension.

The delirium, however, is less severe; in emotional attitude these patients are not as anxious and fearful; in actions they are not as restless or violent. Clouding of consciousness is not so complete. Hallucinations of hearing are rare; the terrifying content of hallucinations of sight is not so marked. Attention is easier to obtain and maintain.

These patients are prone to complain of pain or of not feeling well, whereas the typical delirium tremens patient will always say he feels fine, and is apparently not susceptible even to extreme pain. This anesthesia to pain, even in severe injuries, is a well known feature in the ethyl alcohol delirium. In many of these cases tremor is slight or altogether absent. The intense coarse tremor of the tongue, hands and extremities from which delirium tremens takes its name, is not present. Disturbances of gait are not so prominent. Disturbances of speech are not as marked; malposition of words and syllables, slurring and unintelligible speech do not occur. Severe muscular spasms and epileptic seizures, or so-called whisky fits, are absent in non-epileptic cases.

The return of mental clearness generally takes place following a long sleep between the third and sixth day. So far Dr. Scelesh has not seen any patients develop a secondary alcoholic psychosis.

WINE ALCOHOLISM IN ITALY AND FRANCE

The health department of the city of Genoa, Italy, has prepared a colored map and public health bulletins showing the rate of alcoholic insanity to the total insanity in the various provinces. It shows that in a large part of the country, from 10 to 26 per cent of admissions to insane hospitals are for alcoholic insanity. When the wine and spirit consumption of these provinces is compared, a very close parallel is apparent between the consumption rates of alcohol and the prevalence of alcoholic insanity. The comparison also shows, contrary to the theory that wine displaces spirits, that the regions of high wine consumption are, quite regularly the regions of high spirit consumption.

Dr. Paolo Amaldi, director of the insane asylum in Florence, traces the connection between the rise and fall of the proportion of alcoholic insane among the total insane and the rise and fall

in the price of wine, and finds that when the price of wine **rises**, the frequency of alcoholic insanity **falls**. (L'Abstinence May 31, 1919.) This is conspicuously true in the central and southern provinces where wine is the customary drink and the per capita consumption of spirits small. How can one doubt or deny, Dr. Amaldi asks, that wine is the principal factor in the alcoholism of Italy? Over-production of wine plays a large part in its enormous consumption and in the poverty arising from insufficient production of essential foods. To sell the output of wine, retailers are multiplied until in 1919 they numbered one to every 100 inhabitants. Workingmen spend from one-fourth to one-half of their meager earnings for wine, leaving proportionately less for other things necessary to their physical and mental development.

The alcoholism which threatens Italy, Dr. Amaldi stated in a report read at the Washington International Congress against Alcoholism (1920), is wine alcoholism. All who have occasion to study individual cases of alcoholism—criminologists, alienists, physicians—are of the same opinion. Wine alcoholism may not provoke such loathsome manifestations as spirit alcoholism; it is nevertheless, a danger, for its action on the human organism is on the whole just as harmful; and its social effects are undeniable.

Similar testimony concerning consequences of wine-drinking in France were described at the same meeting in Washington by Dr. Legrain, director of an inebriate asylum in Paris. He gave the history of typical cases of alcoholic insanity due to wine alcoholism treated at his hospital. They had been in and out of the asylum many times with only short periods of freedom between because drinking wine quickly put them in a condition that sent them back. One nearly 79 years of age had been in more than 100 times. Numerous cases admitted for criminal acts combined with mental disease were all of wine drinkers.

If wine were not in existence in France, declared Dr. Legrain, alcoholism due to spirituous liquors would be less. Alcoholism due to wine is the father of alcoholism due to spirits. It is quite necessary in all the Latin countries to fight against wine as energetically as against spirits.

LIFE INSURANCE DEMONSTRATES INJURIOUS EFFECTS FROM SMALL QUANTITIES OF ALCOHOL

A new study of the British and American life insurance statistics by Dr. Oscar H. Rogers, (New York Life Insurance Company, 1922) affords clearer evidence than ever before of the injurious effects of small quantities of alcohol.

The experience of seven British, Australian, and American companies, shows that the non-abstainers had an average mortality 32 per cent higher than the abstainers. "However freely we allow for considerations of moderation practiced by abstainers in food and every manner of living," says Dr. Rogers, "there must still remain a substantial margin of difference due to alcohol alone."

The statistics of two companies divide the non-abstainers into two or more classes according to drinking habits, and these figures furnish the evidence against small quantities. The death-rate among non-abstainers in a class including moderate drinkers who are not even daily users, or beer-drinkers who do not exceed two or three glasses of beer a day, was represented by a mortality of 74 per 100 expected deaths as compared with 62 among the total abstainers.

"The evidence before us is conclusive," says Dr. Rogers, "that the so-called Ansties's limit of $1\frac{1}{2}$ ounces, or three tablespoonsful, of alcohol a day is far too liberal. Instead, there appears to be no limit within which alcohol may be entirely harmless. It is as if there were a direct relation between the amount of alcohol used and the amount of damage done to the body. The evidence is strong also that the damage done persists a long time after it has been discontinued. Any one who uses alcohol now or has used it in the past, is a less desirable risk, all other things being equal, than a total abstainer and his undesirability is in proportion to the freedom with which he has used the drug."

A RECORD LOW DEATH-RATE IN THE UNITED STATES

An announcement issued by the Department of Commerce, October 10, 1922, gives the death-rate in the registration area of the United States in 1921 as 11.7 per 1,000 population. This is a decrease of 6.4 per 1,000 from 1920. The birth rate was

higher, 24.3 per 1,000 as against 23.7 per 1,000 in 1920. The infant mortality rate is reported as decreasing from 86 per 1,000 in 1920 to 76 per 1,000 in 1921. The third annual report of the American Child Hygiene Association gives the figures of decrease in infant mortality in large cities. Thus in cities of over 250,000 population, the infant mortality rate dropped from 85.3 in 1920 to 75.3 in 1921. The rate in cities with a population between 10,000 and 25,000 dropped from 93.7 in 1920 to 82.3 in 1921. The rate for all cities in the registration area dropped from 91.5 to 77.9. Of the cities included in the report having more than 250,000 people, Portland, Ore., San Francisco and Seattle had the lowest infant mortality rate; Pittsburgh, Kansas City, Mo., and Buffalo had the highest rates.

OBSERVATIONS ON EFFECTS OF LOW ALCOHOL CONSUMPTION IN DENMARK

Mortality in Denmark for the year 1917-18 was the lowest ever recorded by any European country despite the influenza epidemic which occurred in the period. During this year Danish distillers were forbidden to use cereals or potatoes for making brandy, and the beer output was reduced one-half. There were also food restrictions which obliged the people to live on a carefully planned low-protein diet—milk, vegetables and bread made of rye flour and wheat bran. Dr. Hindhede, who has published statistics of the mortality rates of men during this period, does not claim that the total reduction of 2.1 per thousand below the lowest previous rate was all due to the liquor restrictions. He thinks the low protein diet was a healthy one and may have contributed to the health improvement. The reduction in the use of coffee and tobacco owing to the scarcity. But in presenting his conclusion, he declared that "it is sure that the reduction in the consumption of alcohol has been of the greatest importance."

He calls especial attention to one of his tables which shows the improvement in health and mortality of little children "when the state of health of mothers is improved and alcohol removed from the home."

The following table shows how the ratio of infant mortality fell between 1916 and 1918, and the low rate of 1918 as compared with the lowest previous rate since 1906.

	Lowest previous since 1906	1916	1918
Copenhagen	11.3	12.6	8.7
Provincial towns	12.0	13.0	10.2
Rural district	—	8.1	6.1

The opposite picture is presented by France where the vital statistics of 1921 are reported as unfavorable from every point of view, (foreign correspondence Jour. Amer. Med. Assn., Aug. 1922.) The number of births was below that of 1920, while the number of deaths increased. In 1920 the excess of births over deaths was 41 for each 10,000; in 1921 the excess was only 39 per 10,000 inhabitants. The number of deaths for the same unit of inhabitants was 172 in 1920 and 177 in 1921. The provinces in which the excess of deaths over births in 1921 was highest were all in the central, south central and southern parts of France, all or nearly all in wine growing regions.

The general secretary of the Ligue Nationale Contre l'Alcoolisme has asked the minister of public health for support in establishing a home for the treatment of inebriates.

MORTALITY AMONG YOUNG WORKMEN

In an investigation of the mortality of young men in certain risky trades which are associated with heavy drinkers, Sir Thomas Oliver made the observation that in the millstone factories in France the workmen who build up the millstone by putting together the wedge-shaped pieces of stone composing them and who are greatly exposed to dust and fatigue are at the same time heavy drinkers of wine. Many of them take from 7 to 8 parts of red wine a day. Deaths from tuberculosis are very high among these workmen and 90 per cent of those deaths give history of alcoholism. "It is the men who drink heavily who are young," reports Sir Thomas Oliver.

ALCOHOL REDUCES RESISTANCE TO UNFAVORABLE SURROUNDINGS

Evidence that alcohol increases the dangers of unhealthful occupations is furnished by Prof. Thiele of Dresden from observations made in munition plants during the war and in industries connected with the manufacture of aniline dyes and other coloring material. Men working with nitro-glycerine are sometimes made completely unconscious by a single glass of beer. Persons who worked in the aniline dyes for years

without injury were quickly made sick after taking a small amount of alcohol.

The dust of calcium nitrate is almost uninjurious to persons who do not use alcohol, but the condition quickly changes if the worker takes alcohol in any form.

A FACTOR IN THE DECLINE OF TUBERCULOSIS IN THE UNITED STATES

In enumerating the factors which have contributed to the falling off of deaths from tuberculosis in the United States in recent years, Dr. Haven Emerson (*American Review of Tuberculosis*, June, 1922) mentions particularly the decreasing consumption of alcohol.

"From a time many years before the war until the entry of the United States into the struggle, there has been a steadily increasing opinion, lay and medical, in favor of moderation in the use of alcoholic beverages and a conviction that their place as a stimulant or medicament had been greatly overstated in the past. Prohibition, first confined in its application to men in uniform, and later generally effective because of the necessary limitation in the use of foodstuffs for the manufacture of alcoholic beverages, and finally by the application of the constitutional amendment on January 16, 1920, has caused the most important alteration in dietary habits that has been experienced in this country. Furthermore, the discontinuance of legal commercial traffic in alcoholic beverages for other than medicinal purposes which formerly involved an expenditure by the consumers of approximately \$2,500,000,000 a year, has released most (probably four-fifths) of this amount for other purposes, for savings or for improvement of the quality of housing, clothing, and food. That much of the money formerly turned into the saloon has gone to the purchase of more and better clothing and food for women and children of wage earners, has been the testimony of the department goods and grocery stores since Prohibition went into effect.

"There is no sufficient evidence to offer to the effect that the discontinuance of the use of alcohol by the tuberculous, or by those of the particularly susceptible types or races, has caused a higher grade of resistance to the disease, but all our experience with the disease tends to show that better housing, clothing, and food have resulted in more resistance to tuberculosis. It is un-

necessary to invoke the probable decided advantage of not having alcohol constantly affecting the circulation, the digestion, the nervous system and the resistance to various infections of the large portion of the population, in view of the more prominent economic effects upon the manner of living which have followed beneficially upon the release from the wastage of expenditures for alcoholic drinks."

INCREASING DRUG ADDICTION IN FRANCE AND BELGIUM

The increasing drug traffic in countries where alcoholic liquors are easily obtainable leaves no ground for the charge that prohibition is promoting the use of drugs in the United States. A special cable to the Boston Transcript, July 20, 1922, states that "a group of prominent physicians appeared before the Academy of Medicine demanding that the government adopt drastic measures to check the cocaine traffic, which according to police data, has increased four-fold since 1918. Virtually all the cocaine bears German chemists' labels and is brought in by foreigners pretending to be tourists. The enormous profits attract venders, who obtain the German drug for 100 francs per kilogram, and sell it for twenty-five cents a gram thereby making a profit of 20,000 francs (\$1,700) on what amounts to about two pounds of the drug."

In Belgium also, (Special correspondent Jour. Amer. Med. Assoc., March 4, 1922), "the consumption of coca derivatives since the war has been steadily increasing. It is quite generally asserted that this is due to the ease with which importations can be made from Germany. More stringent laws against the traffic in narcotic substances in general have been recently passed, but fears are entertained that they will prove inadequate." Both of these reports point directly to commercialism as the chief factor underlying this drug traffic.

ALABAMA

A county local option law was enacted by the Legislature in 1907. As a result of the operation of this law, county after county was voted into the dry column, until, on October 28, 1907, Jefferson county including the great manufacturing city of Birmingham voted dry by almost 1,800 majority. Governor Comer called a special session of the Legislature, which met early in November 1907, and by an overwhelming vote in both houses passed a state-wide prohibitory law. This law went into effect January 1, 1909, but before that date the county local option law had worked so effectively that there were but four counties in the state where open saloons existed, while 13 other counties had dispensary saloons.

The Legislature of 1909 enacted special law enforcement measures making statutory Prohibition in Alabama as nearly ironclad as it was possible to make it. This same Legislature also passed a bill submitting the question of constitutional Prohibition to a vote of the people, which vote was taken on November 29, 1909. The amendment was rejected, but the Prohibition statute remained in force until 1911, when the Legislature practically repealed this law by the enactment of a "whisky" local option provision permitting a vote on the question by counties. The state Legislature of 1915 reenacted a state-wide prohibitory law, which went into effect July 1, 1915.

Alabama was the twenty-ninth state to ratify the Prohibition Amendment to the Federal Constitution. The resolution passed both houses of the Legislature on January 14, 1919, the vote being 64 to 34 in the House and 23 to 11 in the Senate.

Alabama has the unique position of being the only state with a law which prohibits the manufacture and sale of near beer or any substitute. It was enacted as a law enforcement measure and all efforts to repeal it have been futile.

A drastic bone-dry enforcement bill was passed by the Legislature of 1919. This law prohibits the manufacture, sale, transportation, or storage of distilled, malt or vinous liquors in Alabama. It further provides that a judge who suspends a Prohibition violation sentence shall be guilty of a misdemeanor in office.

ARIZONA

Prior to the adoption of Prohibition in Arizona the state was under local option, the law having been enacted by the territorial Legislature of 1909. Through the operation of this local option law, two entire counties had voted out the saloon, and three

municipalities, ranging in population from 1,000 to 5,000, together with several smaller places, were under no-license. All the Indian reservations in the state were dry under Federal law.

Before the adoption of the local option law of 1909, which segregated all municipalities for the purpose of voting on the liquor question, there was practically one saloon in the state for every 175 of the population. Prior to this time there had been a local option law on the statute books for many years, but it was a weak law, and on account of requiring a two-thirds majority vote to abolish saloons not much progress had been made in the matter of adding to the dry territory in the state.

The Prohibition amendment to the State Constitution was adopted by a vote of the people on November 3, 1914, and went into effect January 1, 1915. The vote on the constitutional amendment was 25,887 for and 22,743 against.

In the election of 1916, when an amendment to the prohibitory law was presented to the people for decision, cutting out "personal use," the Prohibition forces won by a majority of over 12,000.

Arizona was the twelfth state to ratify the National Prohibition Amendment, at a special session, on May 24, 1918. The vote in the House was 29 to 3, while the vote in the Senate, which had been taken the day before, was 17 to 0.

The 1919 session of the state Legislature added a further law enforcement measure providing for search and seizure, and confiscation of vehicles transporting intoxicating liquors.

By a ruling of the State Corporation Commissioner of Arizona, insurance companies were compelled to cancel policies protecting automobiles and other vehicles against loss if such vehicles were confiscated for violation of the Prohibition laws.

ARKANSAS

For many years prior to 1913, Arkansas was under local option. The vote of counties under the local option provision of the law showed great progress in the development of temperance sentiment. The aggregate license majority in all the counties of the state in 1894 was 52,358. In 1906 the aggregate county vote showed no-license majority of 16,618. In 1908 the no-license majority was 22,934. In 1910 the no-license majority in the counties was 26,262. In this election, seven counties in the state changed from license to no-license, thus leaving only 12 counties where saloons were permitted.

In 1912 the question of state-wide Prohibition was submitted to a vote of the people. The election took place September

ber 9, 1912. The result was 69,390 votes for Prohibition and 85,355 votes against Prohibition, thus giving a wet majority of 15,965.

The Going law was adopted by the Legislature on February 1, 1913. This measure made it unlawful for any court, town or city council, to issue a license to sell intoxicating liquors except in cases where such a license was asked for by a petition signed by the majority of the white adult population within the incorporated town or city where the license was to be issued. This law also provided that before one could secure such a license, the county must have voted for license at the last general election in which the liquor question was an issue. This law further provided that a petition calling for the issuing of a license, signed by a majority of the white adult population, must be published in at least two issues of some newspaper published in the village or city where the petition was circulated, at least ten days before the petition could be acted upon. The liquor interests made a desperate fight against the enactment of the Going law. They invoked the referendum, and secured 12,155 names, which was 4,000 in excess of the legal requirements, to have the law referred to a vote of the people. The Legislature, however, anticipating such a move, attached to the act an emergency clause, which, under the Arkansas constitution, precluded the option of the referendum. The matter was finally fought out in the courts, and the law, as well as the emergency clause, was fully sustained by the Supreme Court.

Under the provisions of the Going law, just five places in the state of Arkansas permitted saloons.

The Masonic Grand Lodge of Arkansas, after the passage of the Going law, adopted a resolution making it a Masonic offense for any Mason in the state to sign a petition for the granting of a saloon license or to circulate such a petition.

When the Going law was passed by the Legislature there were only 279 saloons left in the entire state and 216 of these were in the five most important towns and cities. Sixty-three of the 75 counties were wholly dry, and practically 98 per cent of the population was living in dry territory.

The State prohibitory law was enacted by the Legislature on February 6, 1915, and went into effect on January 1, 1916. The vote on this State Prohibition law in the House of Representatives was 75 to 24. The bill was amended by the Senate and finally adopted by the upper body by a vote of 33 to 2. When the amended bill was returned to the House it was adopted by a unanimous vote.

In 1916 a bill was initiated to repeal the state-wide law, so a

to allow saloons to return. The question was submitted to the people on November 7, 1916, and the proposition was defeated by 50,000 majority.

On January 22, 1917, by a large majority, both houses of the Arkansas Legislature passed a "bone-dry" law which was signed by the Governor on January 24. This new law made it practically impossible for any person in Arkansas to secure liquor. The exceptions for sacramental, medicinal and mechanical purposes were very closely guarded.

Arkansas was the twenty-seventh state to ratify the Federal Prohibition Amendment. The vote in the House, which was taken January 13, 1919, was 93 to 2, while the vote in the Senate, taken January 14, was 34 to 0.

An effort was made to have the action of the Legislature ratifying the Federal Prohibition Amendment referred to a vote of the people of Arkansas under the referendum clause of the state Constitution, but the state Supreme Court ruled that such action of the Legislature is not subject to a referendum.

The state Legislature in 1921 passed a law further harmonizing the state prohibitory legislation with the federal Prohibition code, making it an offense in the state of Arkansas to set up or operate a distillery, and providing against the evading of other parts of the prohibitory law.

CALIFORNIA

Prior, to 1909, California was under a modified form of local option which permitted the people to vote on the liquor question in supervisorial districts.

In the year 1909, a total of 439 saloons were abolished in California by the vote of the people under supervisorial local option provisions. Five hundred more saloons were closed in the city of San Francisco by various methods, thus making a total of 939 saloons abolished during that year. The progress thus shown so encouraged the temperance forces that a fight for a uniform local option law was made before the Legislature of 1909. The bill was smothered in committee in the House of Representatives, and in the Senate, where it was finally considered, it received but 12 votes. Two years later, however, (in 1911), the measure passed the Legislature by a substantial majority in both houses.

In 1911 California passed the Wyllie Local Option law, which provided for a vote on the license question in incorporated cities and in that part of each supervisorial district which lies outside of incorporated cities. There are five supervisorial districts in each county and as a rule some part of each lies outside of cities.

There are 58 counties in the state. When War Prohibition went into effect, July 1, 1919, five of these were wholly dry; in 20 all the territory outside of incorporated cities was dry; in many other counties one or more of the districts were dry. Altogether more than half of the supervisorial districts in the state outside of cities, were under no-license; about 120 incorporated cities were under no-license.

Prior to the adoption of the state-wide local option law in 1911 all votes on the liquor question were handled under the supervision of the County Board of Supervisors. The Constitution of the state, and the statutes as well, permitted each County Board of Supervisors to grant to the people the right of a local veto on the liquor question. In a large number of counties the people enjoyed the benefits of this local option provision, but in other counties the supervisors refused to grant such privilege. However, even when local option elections were held under the privilege granted by the county supervisors, these supervisors were not compelled to stand by the verdict, although the vote against saloons at such elections usually had the moral effect of restraining the county supervisors from granting licenses in the territory where the people had declared against the saloons.

The Legislature of 1913 passed a law requiring saloons to close from 2 o'clock a. m. to 6 o'clock a. m., thus putting an end to the all-night saloons in San Francisco and other cities.

The Legislature of 1915 passed a law which made all places where liquor was sold illegally, public nuisances, and authorized any citizen to bring action for abatement of such nuisances. This same Legislature also enacted a law forbidding the sale of liquor to people of Indian blood, or to people of part Indian blood, or to white people who lived with or habitually associated with Indians.

On November 7, 1916, the people of California voted on two constitutional amendments. One provided for absolute Prohibition of the manufacture and importation of alcoholic liquor for drinking purposes; the other closed the public drinking place and the retail liquor shop. While neither of these amendments was carried, the results of the election when compared with the results of a similar election in November, 1914, showed great progress. In 1914 the wet majority was 169,245. In 1916 this was cut down to 101,561 on the complete Prohibition amendment. The other amendment came within 44,744 of carrying. The 11 counties in the Southern California division in 1914 gave a wet majority of 3,970. In 1916 these counties gave a dry majority on the first amendment of 35,896, and on the second amendment of more than 50,000. There was a marked reduction in the wet majority both north and south.

San Francisco gave such an overwhelming wet majority that this offset the dry majority in the rest of the state. Outside of San Francisco the state went dry by 32,222 on the second amendment.

During the year 1917, eleven cities were added to the Prohibition list. Eight of these went under complete Prohibition; three, Los Angeles, San Jose, and Santa Clara, banished their saloons, prohibited sale of any distilled liquor and left only service of wines and beers not containing more than 14 per cent of alcohol. These were permitted to be sold during limited hours in sealed packages not to be consumed on the premises and could be served in the public dining rooms of hotels and restaurants with bona fide meals between the hours of 11 a. m. and 9 p. m. Los Angeles is the largest city in the United States to banish saloons by vote of its own people. This election was won by a majority of 20,170.

In the summer of 1918 Stockton passed an ordinance prohibiting the sale of distilled liquors but permitting the sale of vinous and malt liquors with meals from 11 a. m. to 9 p. m., and putting out all saloons. On November 5 of that same year the voters of California passed upon two amendments, one providing for complete Prohibition, the other prohibiting all intoxicants except beer and light wines. Both amendments were defeated, largely by the overwhelming pro-liquor vote of San Francisco.

The California State Senate by a vote of 24 to 15 passed the resolution ratifying the National Prohibition amendment to the Constitution, on January 10, 1919. Three days later the House, by a vote of 48 to 28, adopted the resolution, thus making California the twenty-fourth state to ratify. An attempt was made to invoke the referendum on ratification, but the state Supreme Court ruled that the referendum could not properly be invoked on the action of the Legislature in ratifying an amendment to the Federal Constitution.

On March 29, 1919, the California Assembly passed a Prohibition enforcement measure known as the Harris Bill, designed to use the agencies of the state for the enforcement of the National Prohibition Amendment. This measure defined intoxicating liquors as those containing more than one-half of 1 per cent of alcohol. The manufacture, sale and transportation of intoxicants were prohibited under the provisions of this law, but persons were permitted to store intoxicants in their homes to be served to their families or guests. The liquor interests invoked the referendum on this bill.

The Harris law was voted on by the people in the election of November, 1920. It was bitterly attacked by all the forces opposed to Prohibition and in a wide campaign of publicity was mis-

stated in many important particulars. The principal objection made to it was that it would leave California subject to absolute Prohibition in the event that the National Congress should "liberalize" the Volstead act.

The Harris law was defeated by a vote of 400,475 for to 465,537 against.

Of the three largest cities, San Francisco and Sacramento voted wet and Los Angeles voted dry by only a small majority. Excluding the vote of San Francisco, the vote of the balance of the state showed a majority in favor of the bill of 12,019. The vote in San Francisco was 32,964 for and 110,045 against, leaving a wet majority against the bill of 65,062.

Two other points are worthy of note (in connection with this vote.) One is the continual decline of the wet vote in the wine grape producing counties. California is doubtless the foremost wine producing State and much has been said and written of the terrible blow that Prohibition has struck at the grower of wine grapes. In the meanwhile, the wine producing counties themselves are steadily swinging to the dry column.

The other point is in reference to the vote in San Francisco. In 1914 San Francisco voted wet in the ratio of about 5 to 1; in 1916, 3 2-3 to 1; 1918, 3 1-3 to 1, and in 1921, 3 1-3 to 1.

The Wright enforcement measure providing for the enforcement of the provisions of the Eighteenth Amendment to the Federal Constitution and the Volstead act came up for consideration in the lower house of the State Legislature on April 7, 1921. The House passed the measure, adding an amendment referring it to a vote of the people in 1922. The Senate eliminated the referendum amendment and passed the bill in its original form by a vote of 24 to 15. On April 27, 1921, the lower house approved the measure as it had been passed by the Senate, by a vote of 42 to 34.

The California Grape Protective Association secured the necessary signatures to suspend the law and force it to a popular referendum at the general election, Nov. 7, 1922. Although San Francisco contains only one-seventh of the population of the state, more than half of all the signatures on the referendum petition were secured in that city.

Until the spring of 1922, Federal enforcement in California was poorly done because appointments had been based on political service rather than fitness for the task. When the Prohibition Director, his chief assistant and his personal attorney resigned under pressure, they promptly announced that they did not believe in the Volstead law.

As soon as Samuel F. Rutter was appointed Director, he

promptly reorganized the service. Abatement proceedings have been applied effectively, some of the big wine men have been seriously involved in the bootlegging game, and the Federal judges of the northern district have agreed to inflict heavier fines and jail sentences. Enforcement conditions are steadily improving.

Under even very imperfectly enforced Prohibition, conditions in California are incredibly improved. The defeat of the Harris act in 1920, and the suspension of the Wright enforcement act until November, 1922, has resulted in the adoption of "little Volstead" ordinances for the enforcement of the National law by at least seventy-five municipalities and more than half of the fifty-eight counties of the state.

The higher courts of the state have invariably sustained these ordinances and have immeasurably strengthened the dry cause legally.

COLORADO

Prior to the adoption of the prohibitory amendment, Colorado was under local option, the law having been enacted in 1907. This law provided for a vote in municipalities, wards or voting precincts. Under this law, 90 per cent of the agricultural districts of the state were dry, and a large percentage of the population of the cities of Denver and Pueblo were living in dry districts under the ward provision of the law before Prohibition became operative.

The prohibitory amendment to the State Constitution was adopted by a vote of the people November 3, 1914, and became effective January 1, 1916. The vote at the election which decided the question was 129,589 for the amendment, and 118,017 against the amendment, making the dry majority 11,572.

The Legislature of 1915 enacted a stringent law providing for the enforcement of the amendment. This law prohibits the advertising of liquors, makes it unlawful to solicit orders within the state, provides for search and seizure and gives the Governor special power to enforce the law throughout the state. The ouster provision is also included in the law.

Under the initiative, in May, 1915, the liquor interests of Denver submitted a charter amendment providing for home rule for the city of Denver. This was done for the purpose of exempting the city of Denver from the operation of the state Prohibition law. The charter amendment carried by a majority of 2,600, but was overruled by the State Supreme Court.

When Prohibition went into operation in Colorado on January 1, 1916, 1,800 saloons and 17 breweries were closed.

In 1916 the liquor interests initiated another amendment to the Constitution declaring that "beer is not an intoxicating liquor within the meaning of the prohibitory clause of the constitution."

This amendment was defeated by a majority of 85,000 in the fall election.

A bone dry measure designed to repeal the so-called "Permit Law" which had been standing in the way of Prohibition was submitted to the vote of the people at the November election and was adopted by a majority of about 40,000. The bone-dry measure, which became effective December 16, 1918, prohibits the delivery, receipt and possession of liquors for personal use or otherwise.

Colorado ratified the Federal Prohibition Amendment to the Constitution on January 15, 1919, the vote in the House being 63 to 2 and in the Senate 34 to 1. Colorado was the thirty-fourth state to take favorable action on ratification.

Following the adjournment of the Legislature the pro-liquor forces circulated a petition under the Colorado referendum law to refer the ratification resolution to a vote of the people at the fall election of 1920. The Secretary of State refused to accept the petition. Mandamus proceedings were commenced against him to compel him to do so. This matter was settled by the Colorado Supreme Court ruling against the plea set up by the pro-liquor forces.

During the past year the outstanding victory for the drys in Colorado was the decision of the State Supreme Court upholding the "Bone-Dry Law."

CONNECTICUT

Prior to the going into effect of National Prohibition, Connecticut was under local option, the law providing for a vote on the liquor question as often as once each year, by towns, upon petition of 10 per cent of the voters. Licenses were granted by the county commissioners, who were themselves elected by the Legislature. There are 168 towns in the state. When National Prohibition became effective, 100 towns were under no-license and 68 towns were under license. There were about 2,000 saloons in operation in the license towns and cities.

The General Assembly of 1915 enacted a law governing the sale of liquor in clubs and several other minor amendments to the anti-liquor laws were enacted. A state farm for drunkards was established, and a law was enacted raising the liquor license fees. A bill calling for the submission of a state Prohibition

amendment was passed in 1917 and went over to the session of 1919, at which time it failed of passage.

A Prohibition law was passed in Connecticut in 1854, but it was repealed in 1872.

In 1892 the number of no-license towns in Connecticut was 88. The number of license towns was 80. In 1902 the number of no-license towns was 93 and the number of license towns 75. In 1909 there were 97 no-license towns and 71 license towns. During that year the Legislature enacted a law limiting the number of licenses to one for 500 of the population and forbidding any retail saloonkeeper from selling or delivering liquors in any town except where his license is held. This law also fixed the hour of closing the saloons at 10 p. m. with certain privileges of extension by local authorities.

In 1911, 95 towns were under no-license and 73 granted licenses. In 1912, the number of saloons had increased to approximately 2,120. In 1914, 87 towns were under no-license, while 81 granted licenses, and in the fall election of 1914 the population living under no-license was increased by about 13,000. In 1915, there were 79 towns under license and 88 towns under no-license.

The Connecticut Legislature passed a very fair enforcement law at its session in 1921, the act going into effect in October of that year. Its definition is in accord with the National act. It is more liberal in its provisions for possession and transportation than is the National act. A State Police and the City Police in most of the cities of the state have made reasonable effort towards enforcement and in most parts of the State enforcement is very fair. Sergeant Kroopneck in Hartford has attained great fame by an unusual knowledge of the means of securing evidence which convicts. In some other cities also special enforcement squads have been used and open saloons are everywhere rare. There will probably be request from State Officials for some amending of the law to render enforcement easier.

DELAWARE

Prior to the going into effect of National Prohibition, the entire state of Delaware, outside the city of Wilmington, was under state-wide prohibitory laws.

Delaware is divided by its Constitution into four local option units—the city of Wilmington, New Castle, Kent and Sussex counties.

In 1907 the Legislature voted a special election in all four of these local option districts with the result that Kent and Sussex

counties voted dry, while Wilmington and New Castle county retained their saloons. The liquor people have made several unsuccessful attempts to have the question resubmitted in the dry units.

In 1909 the Legislature voted to submit the question to the people of Rural New Castle county, the vote being taken November 8, 1910, with a wet majority of 748.

In 1911, the Legislature passed the Hazel Gallon-a-Month law, but as the Supreme Court declared it unconstitutional, the Legislature of 1915 repealed it. Later the U. S. Supreme Court reversed the decision of the State Supreme Court, declaring the law constitutional. The same Legislature passed a Druggists' Prescription law, which regulated the selling of liquor in drug stores on physicians' prescriptions.

In 1917 the Legislature passed by a big majority in both houses the "Loose" Anti-Shipping law, which was signed by the Governor and put into immediate effect. This law also provides for its enforcement in any territory that might afterwards go dry, so that it was effective in Wilmington under War Prohibition.

The same Legislature submitted the license question to the voters in New Castle county and the city of Wilmington, the two remaining wet units, with the result that New Castle county voted dry by 1,270 majority and the city of Wilmington voted for license by about 2,000, being half the wet majority of 1907. Wilmington was then the only wet spot in the state, having 161 saloons, 5 wholesale houses and 13 merchant licenses, all of which were closed under the War Prohibition act.

In 1918 Governor John G. Townsend, Jr., called a special session of the Legislature which ratified the National Prohibition Amendment, the vote being in the House 27 to 6 and in the Senate 13 to 3. Delaware was the ninth state to ratify.

In 1919 the Legislature enacted the Klair Prohibition law, which puts the officers of the state back of enforcing National Prohibition. This law complements the "Loose" Anti-Shipping law, giving Delaware one of the best Prohibition codes in the country.

In the 1920 special session and the 1921 regular session of the Legislature unsuccessful attempts were made to repeal or weaken by amendment the state Prohibition laws.

THE DISTRICT OF COLUMBIA

The District of Columbia, in addition to being under the provisions of the Eighteenth Amendment to the Constitution and the Volstead National Prohibition law, is also under Prohibition pro-

vided especially for the District of Columbia by a law enacted by Congress which went into effect on November 1, 1917.

On December 7, 1915, Senator Morris Sheppard of Texas introduced the District of Columbia Prohibition Bill in the United States Senate. It passed the Senate January 9, 1917, by a vote of 55 to 32, and the House February 28, 1917, by a vote of 273 to 137. It was signed by the President March 3, 1917, and went into effect November 1, 1917. The law closed 267 barrooms, including 22 in hotels and nine in clubs, and 89 wholesale places including four breweries, a total of 356 licensed liquor establishments.

When the revenue bill was under consideration in the Senate, in 1919, Senator Sheppard succeeded in adding an amendment making the Reed bone dry law applicable to the District of Columbia. The provision was retained by the conferees of the Senate and House and became a law on February 25, 1919, the day after the President signed the bill.

Prosecutions for violations of the law are usually brought under the Volstead act. The city police department cooperates heartily with the federal officers in detecting and arresting violators with the result that offenders are generally promptly apprehended.

Conditions have greatly improved in the city of Washington. The attitude of many citizens has become more favorable to Prohibition as its beneficent effects become more apparent.

FLORIDA

Prior to the adoption of state-wide Prohibition Florida was under local option, which was incorporated in the state constitution in 1887. Up until 1913, the liquor forces succeeded in defeating almost every effective temperance measure proposed to the Legislature, or succeeded in adding provisions to measures that were adopted, that tended to make the laws ineffective. The Legislature of 1913, however, enacted an anti-shipping and blind tiger search and seizure law, which was strengthened by the Legislature of 1917. The operation of this law greatly decreased the illicit shipment of liquor within the dry territory of the state.

The Legislature of 1915 enacted the Davis law which prohibited treating, drinking in saloons, free lunches, screens, blinds, tables and chairs. This law also compelled the closing of saloons from 6 o'clock p. m. to 7 o'clock a. m.

No-license was adopted, county by county, until there were only two counties in which liquor houses were in operation when state-wide Prohibition went into effect.

The Prohibition amendment to the state Constitution was submitted to a vote of the people of Florida on November 5, 1918, and was adopted by a majority of 8,242, every county in the state, as well as the largest city, Jacksonville, having given a majority in favor of the amendment.

The Prohibition amendment became effective January 1, 1919. A similar law submitted to a vote of the people in 1910 was defeated by a majority of 4,372.

The federal government closed the saloons in Key West and Pensacola as a war measure.

Florida was the fifteenth state to ratify the federal Prohibition amendment. The vote in both houses of the state Legislature was taken on November 27, 1918. The resolution passed the House by a vote of 61 to 3 and the Senate by a vote of 25 to 2.

The natural features of the Peninsula, with 1,500 miles of coast line, with inlets and thousands of islands near the shores, with large areas of everglades, palmetto swamps and dense hammocks,—all of these and the close proximity of Cuba and the Bahama Islands, make Florida a natural inlet from foreign lands to the states, north, east and west.

Up to the beginning of 1922 the Government has been rather unfortunate in Florida in its selection of an appreciable number of its agents, judging from the laxness of Federal enforcement of the Prohibition law. Cases were reported where the indication pointed to protection of the traffic, and in some cases even of graft from the traffic. But a new arrangement of the Federal program in Florida promises very much better conditions in the future.

Notwithstanding this laxness in enforcement, conditions are better than before National Prohibition. In Jacksonville, especially, the long time famed "oasis of the South", the people are gratified with bettered conditions and now boast of one of the cleanest cities on the continent.

GEORGIA

The history of Prohibition in Georgia is interesting and instructive. In 1733, when Georgia was founded by General Oglethorpe, the trustees ordered that no rum should be sold in the Colony, and that if any one brought in fiery spirits, the kegs should be staved and the contents poured out.

In 1837 the charter of Mercer University prohibited liquor houses and gambling on the lands of the institution, and similar restrictions were in the charters of Emory and Oglethorpe col-

leges. In Union county, Joshua Anderson, ordinary or county clerk, refused to issue licenses, and this county has never had licensed liquor-selling. A mandamus was sought to compel the ordinaries to issue licenses, but the courts refused.

In 1879 there were 30 Prohibition counties and 100 license counties. The proportion of Prohibition counties increased constantly. Local option was passed in 1884, the bill having been drawn by the Hon. Walter B. Hill, afterward Chancellor of the University of Georgia, and passed under the skilful management of Hon. W. J. Northern, afterward Governor of the state. Under local option in 1887 there were 75 Prohibition and 62 license counties. For a few years dispensaries were tried in the large cities. Another law enabled a majority of adult citizens to forbid saloons within a three-mile limit of churches and schoolhouses.

The state Prohibition law of Georgia was enacted by the Legislature in 1907 and became effective January 1, 1908. The law was so defective, however, that violations were easy. The Legislature of 1908 enacted a measure to license near beer and locker clubs. This gave opportunity for the wholesale and retail sale of whisky, and the prohibitory law was almost a dead letter. The sale of near beer was a pretext; real beer was sold, and the beer joints smuggled whisky to any purchasers.

Public indignation grew, and the Legislature of 1913 undertook to pass a law in harmony with the federal anti-liquor shipment law, prohibiting intra-state shipment of liquor for illegal purposes. This measure passed the Senate five to one, but was killed in the House.

A special session of the Legislature was called for the fall of 1915, and enacted a drastic Prohibition law. This repealed the near beer law, and prohibited the sale of liquors containing any alcohol, prohibited liquor advertising, and made it unlawful to import liquors except for personal use. This law became effective May 1, 1916.

On March 20, 1917, Governor N. E. Harris called a special session of the Legislature to consider a bone-dry bill for the state. On March 28 such a law was passed by both houses of the Legislature, barring liquor from the state except for sacramental, medicinal and mechanical purposes. The law prohibited the possession of liquor even for personal use, and became effective at once.

Georgia ratified the National Prohibition Amendment to the federal constitution on June 26, 1918. The vote in the House was 129 to 24 and in the Senate 34 to 2. Georgia was the thirteenth state to ratify.

The sentiment of the State is almost unanimously Prohibition. Many so-called respectable people, however, buy liquor from bootleggers, and thus encourage violation of law. The Federal Department of Prohibition has been active, and has received a large amount of cooperation from municipal and county officers. No one doubts that the law is being better and better enforced, and in due time will be as well enforced as any other law. Public sentiment grows against violations of all law.

HAWAII

The first law against retailing ardent spirits in the Hawaiian Islands was enacted in 1829. In 1831, the first native temperance society was organized with about 1,000 members. In 1835 a formal petition was presented to the monarch of Hawaii opposing the manufacture and sale of intoxicating liquors. The first temperance paper in the Islands was published in 1842, and the first temperance society from the foreign residents of Honolulu was organized in 1844. In 1882 the temperance laws of the Islands were repealed. In 1884 the W. C. T. U. was organized and in 1901 the Anti-Saloon League was organized.

Prohibition went into effect on May 24, 1918. The bill which provides for Prohibition in the territory of Hawaii during the period of the war and thereafter unless the same shall be repealed by vote of the people within two years after the conclusion of peace, was passed by the United States Senate on May 16, 1918, without roll call, and was passed by the House of Representatives on May 18, 1918, by a vote of 237 to 30. The bill was signed by the President and became a law on May 24, 1918.

IDAHO

Until 1907 there was not even a Sunday closing law on the statute books of the state and the liquor traffic seemed to hold full sway. In 1907 a Sunday closing law was enacted. The Legislature of 1909 enacted a county option law and the first vote under this law was taken in August, 1909. Prior to that date the only dry territory in the state of Idaho consisted of the Indian reservations, all of which were dry under Federal law.

Between 1909 and 1915, 21 counties of the state voted dry under the provisions of the county local option law, and only nine voted to retain the saloons. When Prohibition became effective in the state on January 1, 1916, fewer than 200 saloons remained to be closed; all others having been abolished under the provisions of the local option law.

In 1911 the Legislature passed a search and seizure law.

made officers criminally liable for failing to do their duty in enforcing the laws, and made the finding of liquor prima facie evidence of guilt. In 1913 further restrictions were placed upon the sale of liquor in drug stores and in 1915 the sale of all intoxicating liquors, except pure alcohol for scientific and mechanical purposes, was made unlawful and the mere possession of any other intoxicating liquor was made a crime.

The constitutionality of the illegal possession feature of the law was tested in the Supreme Court of the state and the law was upheld in the case of *Ex parte Crane*, 27 Idaho 671, 151 Pac. 1006. An appeal was taken to the Supreme Court of the United States, and the opinion of the state court was affirmed in *Crane v. Campbell*, 245 U. S. 304, 62 L. ed. (No. 3 Advance Sheets, Page 95.)

The Legislature of 1915 passed a state-wide prohibitory law which went into effect January 1, 1916. This same Legislature submitted to the voters of the state a prohibitory constitutional amendment which was voted upon in November, 1916. The result of the vote on this amendment was 90,576 for the measure and 35,456 against the measure, making a Prohibition majority of 55,120.

The 1917 Legislature passed a law empowering the Sheriff or peace officers to search and seize without warrant.

A law was also enacted prohibiting the advertisement of intoxicating liquors for sale and the circulation or distribution of any circulars or price lists for the same.

Idaho was the twentieth state to ratify the National Prohibition Amendment to the federal constitution, and also has the distinction of being the second state to ratify the resolution unanimously. The vote was 38 to 0 in the Senate, on January 8, 1919, and 62 to 0 in the House on the preceding day.

ILLINOIS

The Illinois local option law, which was enacted in 1907, provided for a vote on the liquor question in townships, villages and cities.

In 1903 a local option bill was introduced in the lower House and received 36 favorable votes. In 1905 the local option bill received 68 votes in the House. In 1907 the local option bill passed with a vote of 81 to 67 in the House. In 1909 the wets introduced a local option repeal bill which fell one short of passing in the House. In 1911 the local option repeal bill fell 13 votes short of passing in the House.

As a result of the operation of the local option law, when National Prohibition became effective, fifty-five Illinois counties were entirely dry. Forty-six counties were partly wet, and only one county in the state was all wet. Of the townships, 1,425 were dry (including 170 precincts in counties not under township organization) and 190 townships (including 24 precincts) were wet. Seventy-seven per cent. of the population of the state, omitting the city of Chicago resided in dry territory. Counting the city of Chicago as entirely wet, 47 per cent of the population of the state lived in dry territory, and 88 per cent of the area of the state was no-license territory.

Eighty-two of the 102 county seats were dry, 9 senatorial districts were entirely dry. The 24th congressional district was entirely under Prohibition, while the 15th and 19th congressional districts had but one wet town each.

The number of wet and dry municipalities in the state under the local option law was as follows:

Number dry cities	188
Number dry villages	729
Total dry cities and villages	917
Number wet cities	65
Number wet villages	178
Total wet cities and villages	243

The latest census of saloons (December 6, 1917) showed that there were 9,893 saloons then in the state. Nine thousand, seven hundred and seventy-seven were in cities and villages and 116 were outside of cities and villages. Six thousand, seven hundred and eighteen saloons were located in Cook county.

On account of the accumulative voting system of electing representatives the fight for anti-liquor legislation centered in the lower House. The membership of the Senate, being elected directly, always contained a larger proportion of dry votes.

In the Legislature of 1911 three new laws against the liquor traffic were passed. The most important of these was the one prohibiting drinking and drunkenness on railroad trains and interurban cars. Another established a dry zone around the Soldiers' and Sailors' Home at Quincy. The third prohibited intoxicating liquor in any form or quantity to be sold, used or given away in any state park in the state of Illinois.

In the Legislature of 1913 the liquor people tried for more vicious legislation than ever before. Every liquor measure was defeated. A most vicious undertaking was the effort to pass Senate Bill No. 501, which would have given a monopoly to the owners of licenses, most of whom are brewers and distillers, as

well as the right to transfer, creating a perpetual license. This bill was presented in another form in the Legislature of 1915. It is estimated that it would have been worth more than \$50,000,-000 to the liquor interests of the state.

A four-mile dry zone law was passed in 1913, making it impossible for saloons to be located within four miles of the State University at Champaign and Urbana where 5,000 students attend school.

The woman suffrage law, enacted in 1913, was made possible by the almost unanimous support of the members of the Assembly who were supported by the Anti-Saloon League. The law provides for separate ballot boxes for the women, and this makes it possible to know just how the women vote on the wet and dry question. In the elections held since the passage of the woman suffrage law, more than 1,000 saloons have been closed because of the majorities in the women's ballot boxes. With the assistance of their votes, 25 counties have abolished the saloon, in addition to the 28 counties which were dry when the suffrage law was passed.

The suffrage law has contributed to law enforcement more than any other one factor. Since women have enjoyed the right to vote for local officials there has been a remarkable improvement in the character of officials elected to administer the government of the cities.

The Forty-Ninth General Assembly, which convened in 1915, defeated the efforts of the wet interests of the state to repeal the suffrage law, together with an attempt to secure a law giving to city and village councils of the state the right of home rule, so-called, on the liquor question and other moral issues. The lawless element has naturally drifted from the dry sections of the state to the cities. Such a measure, so far as practical purposes are concerned, would repeal every state law governing the activities of cities and villages, and this would be done under the deceptive name of "home rule."

In the Legislature of 1917, a bill providing for a Prohibition referendum was presented, which was favorably reported by the Senate temperance committee, and on February 20, 1917, was passed in the Senate by 32 to 18. The measure, however, failed of passage in the House.

The Illinois Senate, moreover, on February 8, 1917, passed the Swift bill establishing a dry zone covering a radius of five miles around the United States Naval Training Station at Waukegan. This bill received 34 votes in the Senate, but the measure did not pass the House.

Prior to the passage of the local option law in 1907 the state

was under a dram shop law which provided for the licensing of dram shops. A small number of municipalities were dry as a result of the refusal of local authorities to grant dram shop licenses.

A campaign for the closing of the saloons on Sundays, throughout the state, resulted in Sunday closing in all but three or four of the large cities. Even the great city of Chicago felt the influence of this campaign. On October 4, 1915, the mayor of Chicago issued an order directing that the state law relative to Sunday closing of saloons be thereafter strictly enforced. On the following Sunday the saloons were closed and the regulation has been in effect ever since.

A petition for a vote on the wet and dry issue in the city of Chicago was circulated by the dry forces in March, 1918. The petition was filed with 150,000 names attached to it, but the election commissioners threw it out, having declared over 40,000 names fraudulent or illegal, and stating that the petition lacked 7,515 names of the required number of 106,427 necessary to bring the issue before the voters at the election on April 2, 1918.

On February 20, 1919, the Illinois Supreme Court handed down a decision directing that a vote be taken in Chicago on the license question, on April 1, thus overruling the action of the Chicago election commissioners in refusing to place the question on the ballot in 1918. The Prohibition forces, however, decided not to make an aggressive fight on the question submitted, in view of the fact that the prohibitory amendment to the federal constitution had already been adopted and war-time Prohibition for the entire United States would become effective on July 1, 1919.

Illinois was the twenty-sixth state to ratify the Prohibition Amendment to the Constitution of the United States. The resolution passed the Senate on January 8, 1919, by a vote of 30 to 15, and the House on January 14, by a vote of 84 to 66.

In the 1919 session of the Legislature a law enforcement bill was passed. It first passed the Senate on May 1 by a vote of 29 to 11. On May 21 it passed the House by a vote of 80 to 67. The bill was signed by Governor Lowden on June 22, and became effective as a law on July 1. The law defined intoxicating liquor as any containing more than one-half of 1 per cent of alcohol. On May 21 the House by a vote of 72 to 68 defeated a Prohibition commissioner bill. On June 18 an appropriation bill providing a fund of \$50,000 to be used by the attorney general in connection with Prohibition enforcement was passed by the House 82 to 65, it having previously been passed by the Senate.

On the question of passing the national enforcement bill over

the President's veto Illinois members, on October 27, voted as follows: To override the President's veto, Brooks, Cannon, Dennison, Fuller, Graham, King, Wheeler, Williams, and Wilson. To sustain the veto, Juul, Madden and Gallagher. In the Senate both Senators Medill McCormick and Lawrence Y. Sherman, voted to override the veto.

On November 17, 1919, Federal Judge George A. Carpenter upheld the constitutionality of the War-time Prohibition law in a case brought by Hanna & Hogg to restrain the Federal authorities from enforcing War-time Prohibition. In a similar case at Peoria, Federal Judge Louis Fitzhenry a few days later also sustained the law.

On December 17, 1919, the Supreme Court of Illinois upheld the state enforcement act in the case of People versus Harvey Marquis, et al., which was appealed from the verdict of Circuit Judge Barnes of McHenry county. The constitutionality of the law was upheld with the exception of Section 19, which provided for the destruction of intoxicating liquor, vessels, implements, furniture, and vehicles seized.

Preceding the primaries on September 15, 1920, the Anti-Saloon League carried on a campaign for the nomination and election of legislative candidates favorable to Prohibition enforcement. This was followed by a campaign in support of dry candidates to be voted on at the election on November 2.

In the organization of the Legislature a dry speaker of the House, Gotthard A. Dahlberg, of Chicago, and a dry president pro-tem of the Senate, W. S. Jewell, of Lewistown, were elected.

A Prohibition enforcement bill harmonizing with the Volstead act and containing many new provisions, was passed by the Senate on May 19, 1921, by a vote of 30 to 12. It passed the House on June 8 by a vote of 81 to 62. The bill was signed by Governor Small on June 27 and became effective on July 1. The new law is known as the "Illinois Prohibition act" and will probably be the permanent law of Illinois relative to the beverage liquor traffic.

In the 1921 session of the Legislature the following dry bills were defeated: A Temperance Day bill providing for the holding of a Prohibition program in the public schools each year; an Anti-Screen bill providing for the removal of screens from soft drink places; a bill providing for a Prohibition commissioner. The Legislature passed an appropriation of \$150,000 for the use of the attorney general in connection with Prohibition enforcement. This appropriation, however, was vetoed by Governor Small.

INDIANA

Prior to the enactment of the state-wide Prohibition law, the state of Indiana was under local option, the local option law providing for a vote on the liquor question in cities and townships. Prior to 1908 the state was under the remonstrance law, which provided for the abolishing of saloons in townships and city wards by the remonstrance method.

In 1908 a special session of the Legislature enacted a county local option law. This law was repealed in 1911 by the law which provided for voting in cities and townships.

In 1903 there were only two dry counties in the state. These were Hendricks and Brown. At that time, moreover, every city in the state was wet, and fewer than 500,000 people lived in dry territory.

The state Prohibition law was passed by the General Assembly in February, 1917, by a vote of 70 to 28 in the House and by a vote of 38 to 11 in the Senate. The law became effective on April 2, 1918, at which time 3,500 saloons were compelled to close their doors.

The validity of the state prohibitory law was attacked in a suit brought by the F. W. Cook Brewing Company against the Evansville Chief of Police, but the Supreme Court of Indiana, by four to one, upheld the validity of the law and declared "The act is valid as to all its provisions brought in question."

Indiana was the twenty-fifth state to ratify the National Prohibition Amendment to the federal constitution. The vote was taken in the Senate on January 13, 1919, and stood 41 to 6 in favor of ratification, while the vote in the House on January 14 was 87 to 11.

On March 4, 1921, the Indiana House of Representatives by a vote of 80 to 4 passed the Dunn bill, the purpose of which was to bring the Indiana law enforcement code up to the level of the Volstead law. This bill had previously passed the Senate on February 17 by a vote of 31 to 12.

IOWA

The first temperance society in Iowa was formed in 1838, ten years before statehood, at Ft. Madison.

Governor Lucas, the first territorial governor, repeatedly urged the abolition of liquor in his messages to the Legislatures and in 1839 advocated the first local option law for Iowa.

In 1841, the first suggestion was made of prohibiting the sale of liquor by statutory law.

The first Legislature after the state was admitted to the Union passed a local option law and at the election April 5, 1847, every county in the state but one voted out liquor. But by 1849 the Legislature took up the question again and passed a law leaving liquor licenses to the Boards of Supervisors of each county, and saloons again flourished.

In January, 1855, the Legislature again passed a Prohibition law and submitted it to the voters for approval. On April 2, 1855, the voters approved the law by a vote of 25,555 for, to 22,645 against, 2,910 majority. But it only remained until 1857 when it was declared unconstitutional by the Supreme Court. In 1858 the so-called "Wine & Beer Clause" was added permitting the sale of beer, cider and wine made from Iowa products. In 1870 a mongrel local option law was passed, but was declared unconstitutional by the Supreme Court.

In 1857 the state adopted a new constitution which provides that amendments must be passed by two successive Legislatures and ratified by a majority of the voters. In 1880, and again in 1882 a proposed Prohibition amendment passed both houses in the Legislatures, and on June 27, 1882, the people voted on it, the vote standing 155,436 for, to 125,677 against the amendment, a majority of 29,759. The amendment was contested in the courts and it was found that four words, "or to be used," were omitted from the amendment which passed the second Legislature and was voted on by the people. The first Legislature submitted this amendment:

"No person shall manufacture for sale, or sell, or keep for sale, as a beverage, or to be used, any intoxicating liquor whatever, including ale, wine and beer."

The second Legislature submitted this amendment, which was adopted by popular vote of the people.

"No person shall manufacture for sale, or sell, or keep for sale, as a beverage, any intoxicating liquor whatever, including ale, wine and beer."

On this technicality the Supreme Court held that it was not the same amendment which passed both houses and the amendment was void. The Legislature was in session when this opinion was handed down and with the urgent recommendation of Governor Sherman a strong statutory Prohibition law was passed (1884), which has remained upon the statute books to this day.

This law was so openly and flagrantly violated in many parts of the state that it became proverbial that they had "The State of Dubuque," "The State of Davenport," etc., within their borders, not subject to the laws of Iowa. So much so that in 1894 the Legislature yielded to the booze politicians and enacted the in-

famous Mulct law or Martin law. The theory of this law was a form of local option. The prohibitory law was left in full effect, but the Mulct law provided that if liquor dealers complied with certain requirements and regulations prescribed in the law and paid a certain "tax" they could operate saloons. This law remained in force until January 1, 1916, when it was repealed and the state automatically went dry by virtue of the prohibitory law of 1884.

During the regime of the Mulct law and especially during the past ten years many laws amending either the Prohibition law of 1884 or the Mulct law of 1894 have been obtained and decisions handed down from the Supreme Court, strengthening and defining the Prohibition position. Some of these are:

1. "Five year limit law," making all counties and cities obtain written consent from a majority of the voters every five years, to operate saloons.
2. A law permitting only one saloon for each 1,000 population of city or town.
3. Reduced the number of saloons in the state at the time Prohibition went into effect to 127.
4. Prohibiting manufacturers or wholesale liquor dealers from owning retail places or furnishing bonds, etc.
5. Only "qualified electors" might engage in sale of liquors.
6. Forbidding drinking or carrying liquor on trains.
7. Forbidding transportation of liquors to any one not having a right to sell or use the same, and then only to those who have a certificate from the county clerk.
8. A pharmacists law, permitting sales by druggists who have a permit to sell, only for medicinal, mechanical and sacramental purposes, and then only by signing in ink a consecutively numbered request furnished by the county auditor and returned to him, request to show purpose, for whom, quantity and kind and that neither purchaser nor the one for whom purchased uses liquor as a beverage. The Supreme Court has held that druggist sells thus only at his own peril, he must know all these statements are true or refuse to sell.
9. "Removal laws" providing for removal from office of sheriffs, county attorneys, mayors, boards of supervisors, etc., who neglect or fail to do their duty. Several have been removed and a healthy respect for law has been created.
10. A law providing that the county attorneys shall procure from the internal revenue officer a list of all persons hav-

ing paid the special tax for the sale of intoxicating liquors and file same with the county auditor, such evidence is made prima facie evidence of keeping liquor for sale.

11. Statutory Prohibition by repeal of the Muley law.
12. A civil injunction law, providing for the abatement of liquor nuisances and closing the buildings by any citizen and taxing costs including attorney fee for plaintiff's attorney to defendant.

The state Prohibition law was enacted by the Legislature of 1915, which repealed the old Muley law, thus leaving in full force the prohibitory statute originally enacted in 1884. State Prohibition became effective on January 1, 1916.

The same Legislature which enacted the statutory Prohibition provisions in 1915 also submitted the question of constitutional Prohibition to a vote of the people to be taken at the November election in 1917.

Under the Iowa constitution it was necessary that the Legislature of 1917 ratify this submission before the amendment election could be held. The ratification measure came up in both houses of the Legislature in January, 1917. It was passed by the Senate by a vote of 45 to 3, and was passed by the House by a vote of 100 to 5. At the special election, which was held October 5, 1917, the prohibitory amendment was defeated by a majority of 932, the vote being 214,963 for the amendment and 215,625 against the amendment.

Iowa ratified the National Prohibition Amendment to the federal constitution on January 15, 1919, thus being the thirty-second state to ratify. The vote stood 42 to 7 in the Senate and 86 to 13 in the House, action being taken in both houses of the Legislature on the same day.

KANSAS

Kansas is in reality the pioneer Prohibition state. While the state prohibitory law of Kansas has not been in operation as long as has the state prohibitory law in Maine, nevertheless it may be truthfully said that Kansas has given to Prohibition the longest and best trial that has been given by any of the Prohibition states. The prohibitory amendment to the state Constitution was adopted by the people of Kansas in 1880 by a vote of 92,302 for, to 84,304 against.

In most parts of the state the Prohibition law has been well enforced for forty years. During the last ten years of the nineteenth century, however, joints sprang up in the cities of the state,

and through lax enforcement by the city officials the law fell into disrepute. It was this condition which prompted Carrie Nation in 1900 to start a militant crusade against the joints of Kansas which were operating in open and flagrant violation of the law. This served to arouse the state to such an extent that for the past twenty years the Prohibition law of the state of Kansas has been as well enforced as any other law upon the statute books.

The people of Kansas are so thoroughly committed to Prohibition that nothing short of a complete revolution would change the attitude of the people of the state toward the prohibitory law.

In 1914 a candidate for Governor who ran on a platform declaring for resubmission of the Prohibition question was defeated by a majority of almost 500,000 votes.

There is not an important daily or weekly newspaper in Kansas that does not openly support Prohibition.

Kansas was the thirtieth state to ratify the National Prohibition Amendment to the federal constitution. Two hours after the Legislature had been called to order on January 14, 1919, the ratification resolution had been passed unanimously in both houses, the vote being 39 to 0 in the Senate and 121 to 0 in the House. This was Kansas' emphatic endorsement of the Prohibition policy which she adopted forty years ago.

KENTUCKY

Notwithstanding the very large investment her people had made in the manufacture of liquors, Kentucky began early to restrict and outlaw the licensed saloon. Between 1871 and 1891 twenty-five counties were given county Prohibition by special acts of the Legislature. Since that time the people of the several counties have confirmed these legislative acts by voting under the local option laws, which from time to time have been enacted by the Legislature.

In 1894 a law was enacted permitting on a petition of 25 per cent of each precinct, a vote in a precinct or magisterial district or municipality. Under this law the number of counties entirely dry was increased to 59, with much dry rural territory in most of the remaining counties.

The county unit law, exempting from the county vote cities with a population of 3,000 or more, was enacted in 1896. Under this law the number of counties entirely dry was increased to 97.

In 1914 a straight county unit law was enacted requiring the County Court to call an election on the petition of 25 per cent of the voters of the county, to become effective 60 days after the

vote is taken. This law was the result of a series of enactments and reached this perfected form in the legislative session of that year; by elections held under this law 11 more counties were placed in the dry column and the list of wet counties in the state reduced to twelve. Five of these so-called wet counties had saloons in but one city, and three others in but two places. Under these laws more than 96 per cent of the area of Kentucky became dry and about 80.8 per cent of the population lived in no-license territory when National Prohibition became effective and state Prohibition was ratified by the popular vote of the people of the state.

An amendment to the state Constitution, providing for statewide Prohibition, was submitted by the 1918 Legislature, by a vote of 28 to 5 in the Senate and 80 to 11 in the House. This amendment was submitted to a vote of the people at the November election, 1919, and was adopted by a majority of 10,717. The amendment became effective July 1, 1920.

The Legislature of 1918 enacted a strong law prohibiting the owning or operating of moonshine stills, and passed an anti-shipment liquor law which prohibits the carrying or shipping of liquors for beverage purposes into dry territory. This same Legislature also adopted a measure setting apart one day each year, the fourth Friday of October, as Temperance Day, to be observed in every public school and high school in the state.

At the same session of the Legislature a heavy penalty was placed on drinking on trains and train men were empowered to arrest those who violate the law.

The Federal report of January, 1920, showed that of the 69,-33,000 gallons of whisky in the United States, 38,134,000 gallons were in the warehouses of Kentucky—7,035,000 gallons more whisky in Kentucky than in all the rest of the United States.

Kentucky was the third state to ratify the prohibitory amendment to the Federal Constitution. It was the first wet state to ratify that amendment. The amendment was ratified in the House of Representatives on January 14, 1918, by a vote of 66 to 10, and in the Senate on the same day by a vote of 28 to 6.

Because of too moderate penalties the first law enacted in 1920 to enforce statewide Prohibition was not equal to the situation. The 1922 Legislature however enacted a law, the penalties of which increased with each successive violation and for chronic violators reach as high as \$10,000 and ten years in the state penitentiary. This law also requires a peace bond of from 1,000 to \$5,000 as a guarantee that the defendant convicted of violations of this law will keep the peace for twelve months.

This law was enacted by the legislature of Kentucky by a vote of 28 to 4 in the Senate and a vote of 77 to 12 in the House.

At the election in November, 1921, the people of Kentucky elected the entire law enforcement machinery of the state, from the magistrates and constables of the magisterial districts to the circuit and the commonwealth attorneys. The officials elected at that time are declared to be the driest body of law enforcement officials ever elected in Kentucky. What is true of the state in this regard was also true of the city of Louisville which was the former great whisky and beer center.

LOUISIANA

Prior to the going into effect of National Constitutional Prohibition, Louisiana was under local option, the law providing for a vote by parishes. Under the provisions of the local option law, thirty parishes had abolished the saloon, more than three-fourths of the territory of the state was under no-license, and more than 40 per cent of the population was living in Prohibition territory, when the Eighteenth Amendment to the Federal Constitution was adopted.

The Gay-Shattuck law, which is a license regulation provision, went into effect January 1, 1909. This law prohibits the selling of liquors to whites and negroes in the same building. It also prohibits saloons within 300 feet of any school or church and makes it unlawful to throw dice or gamble in any room in saloons.

The Louisiana Legislature in 1916 passed a bill known as the Johnson Near-Beer bill, prohibiting the sale of all malt liquor in dry territory.

The Louisiana Legislature met in regular session in May, 1918. On the question of ratification of the prohibitory amendment to the Federal Constitution, the House of Representatives voted in favor of ratification, by a vote of 70 to 44, while the vote in the Senate was a tie, 20 to 20, thus failing to pass the resolution.

At a special session of the Legislature, however, which was called by the Governor in August, the federal amendment was ratified by a vote of 21 to 20 in the Senate on August 6, and 69 to 41 in the House, two days later, thus making Louisiana the fourteenth state to ratify.

At a special session of the 1921 Legislature the Wood Jordan bill was passed, authorizing the courts to exercise concurrent power in the enforcement of the 18th amendment. This law has proved to be very helpful, when officers show proper regard for their oaths of office, which is true in most cases.

MAINE

Statutory Prohibition was enacted in Maine in 1846. This law was rudimentary and was more restrictive than prohibitory. It permitted the sale of intoxicants for medicinal and mechanical purposes and did not apply to liquors imported from foreign countries and sold in the state in quantities of not less than 28 gallons. With all the weaknesses of this law, however, its provisions were very beneficial, especially in the rural sections.

The first real prohibitory law was enacted in 1851. This law contained a search and seizure clause. This law was repealed in 1856 and the state went under license for two years. In 1858, however, the law was re-enacted, but did not go into effect until the electors had an opportunity to vote upon it. When the vote was taken, the law was endorsed by 28,864 to 5,912.

In 1884, a prohibitory constitutional amendment was submitted to a vote of the people with the result that it was adopted by a vote of 70,783 for and 23,811 against the measure.

The most effective measure for the enforcement of Prohibition in Maine has been the Sturgis law, which was enacted in 1905. This law created an enforcement commission of three to be appointed by the Governor and gave them power of sheriffs to enforce the liquor laws where local officers failed for any reason to enforce them. This commission was empowered to appoint deputy commissioners and to send them wherever their services were needed.

In 1910 the party in power being antagonistic to Prohibition, repealed the Sturgis law and conducted a referendum for the overthrow of Constitutional Prohibition. Prohibition was retained by a majority of 758 and the policy of state-wide enforcement acquired support throughout the state.

In 1916 Governor Milliken was elected on a distinctly enforcement platform and instead of re-enacting the Sturgis law as an enforcement measure the Legislature in 1917 gave the Governor power to remove delinquent county attorneys and proposed a constitutional amendment giving the Governor power to remove delinquent county sheriffs; which was adopted in September, 1917. The Governor was given power to appoint others in place of removed county attorneys and sheriffs.

Since 1918 county officers favorable to enforcement have been elected throughout the state.

Maine was the nineteenth state to ratify National Prohibition, the vote in the Senate being unanimous and in the House 122 for ratification to 20 against.

The Legislature of 1919 redefined "intoxicating liquor" to conform to the Federal law.

The Legislature of 1921 strengthened the statutes pertaining to the forfeiture of vehicles used in the transportation of intoxicating liquor and eliminated from the law prohibiting the manufacture of intoxicating liquor the qualifying words "for sale," thus relieving the officer of the necessity of proving that the product of still is for sale.

Both the Republican and Democratic parties of the state of Maine are now favorable to Prohibition. The Democratic party, which has at times favored the wet cause, adopted the following plank in its state convention platform in 1922: "The adoption of the Eighteenth Amendment to the national constitution has removed the Prohibition question from the realm of party politics. Democrats respect, support and obey the mandates of the constitution and the laws of the land, and regard the proper and orderly enforcement of law as a necessary accompaniment of effective government."

MARYLAND

Prior to the adoption of national Prohibition the state of Maryland had no comprehensive uniform law dealing with the liquor traffic throughout the state. The system of local or special legislation prevailed. At every session of the state Legislature a large number of bills are introduced and passed, which relate only to local communities and have no general application throughout the state. For a good many years, the election in various counties hinged on whether or not members of the legislature would make the county, or certain sections of the county, dry. It has been the custom in Maryland for the members of the House and Senate to be allowed any law which they requested, which applied only to their legislative district. This custom, in fact, is so much of an unwritten law, that when such measures are placed on their final passage the reading clerk will generally call off four or five names, after which the Speaker of the House will generally make the announcement that the bill, having received a constitutional majority, is declared passed.

In this manner, many men in the Legislature vote for local measures to accomodate members who are seeking legislation for their particular counties, when they would not vote for a state-wide proposition dealing with the liquor traffic. As a result of this system, a large part of the state of Maryland was placed under Prohibition by reason of numerous local option laws passed

by the legislature at the request of the legislators who represented the sentiment of their particular districts.

When the Volstead National Prohibition enforcement law went into effect the following counties were already under local Prohibition: Caroline, Cecil, Dorchester, Kent, Queen Anne, Somerset, Talbot, Wicomico, Worcester, Charles, St. Mary's, Carroll, Calvert, Montgomery, Frederick, Washington, Garrett, Harford, and all of Howard except Ellicott City. The territory under license at that time was the city of Baltimore, most of Baltimore county, Ellicott City, most of Anne Arundel county, and practically all of Allegheny county.

The question of state-wide Prohibition in the form of a statute with a referendum attached was presented to the Legislature of 1916. A majority of the members of both houses of the Legislature had been pledged to the support of such a law. The bill, however, was finally changed so that the law, when passed, provided for each unit to vote separately. That is to say—Baltimore City as one unit, Baltimore county, Allegany county, Prince George's county, Ellicott City in Howard, Havre de Grace in Harford, and Annapolis in Anne Arundel as separate units and Curtis Bay and Brooklyn in the fifth district of Anne Arundel county as one unit.

Maryland was the sixth state to ratify the prohibitory amendment to the Federal Constitution. The resolution for ratification was adopted in the House of Representatives by a vote of 58 to 36, and in the Senate by a vote of 18 to 7.

In the Legislature of 1922 the law enforcement measure designed to make Prohibition more easily enforceable in the state was introduced by Mr. R. J. Funkhouser in the House and by Senator David A. Robb in the Senate. After one of the most spectacular fights ever seen at Annapolis, the House passed the bill, which promptly went to the Senate. After a number of days of dealing and trading and after repeated threats and efforts at coercion on the part of the liquor sympathizers, the Senate adopted a fake referendum measure and returned it to the House, where it was rejected and the bill killed. Maryland is thus without a state-wide prohibitory law to assist in the enforcement of the Eighteenth Amendment to the federal constitution. The fight is on in the state to secure an adequate law enforcement measure at the next session of the state legislature.

MASSACHUSETTS

Massachusetts, prior to the going into effect of National Prohibition, was under town and city local option.

The first prohibitory law was passed in 1852 (Chapter 322). This law was repealed by Chapter 215 of 1855, which in some respects seems to have been a still more stringent prohibitory law than the act of 1852. The act of 1855, with some slight amendments, was incorporated in Chapter 86 of the General Statutes of 1860 and remained in force until 1868, when it was repealed and a license law was passed (Chapter 141).

The act of 1868 remained in force only one year, when it was repealed and a new "prohibitory" law was passed (Chapter 415 of 1869). This law became effective in 1870. It permitted the sale of malt liquors in all places unless there was a local vote to prohibit such sales.

Judge Rockwell of Berkshire District Court, commenting upon the experience of his own town during the beer regime, said:

"Under the laws of 1870, the sale of malt liquor was authorized for several months in the town by vote of the inhabitants. Efforts to enforce the prohibitory law, or what there was left of it, during that period were almost nugatory. In no way, as it seems to me, can a greater blow be given to the prohibitory law, or its purpose be more surely defeated, than by legalizing the sale of malt liquors."

The results of the beer experiment were so conspicuously disastrous that in 1873 the laws permitting the sale of beer were repealed in accordance with a recommendation of the governor of the state, who said in his inaugural address:

"If we are to accept the evidence of those who have had the most painful experience of the miseries produced by these places (beer-shops), they are among the greatest obstacles to the social and moral progress of the community."

A high-license local option law was then enacted and continued in force until the advent of National Prohibition.

In 1916 the Massachusetts Anti-Saloon League secured the passage of its Liquor Transportation bill which prohibits licensed liquor dealers from transporting and delivering liquors in dry communities. This bill was passed after a three years' fight in the Legislature. It has stopped absolutely liquor peddling in no-license towns from wagons sent out by licensed liquor dealers, a condition which had become intolerable in many communities.

The Massachusetts League centered its legislative efforts during the session of 1917 on what was known as the "Express Permit Bill." The law as interpreted by the Supreme Court compelled the local authorities in no-license cities and towns to grant a liquor-carrying permit to at least one express company. Being thus forced to grant at least one permit it became very difficult to

discriminate between applicants for this permit and the practical result was that in many cities and towns large numbers of such permits were issued. The "Express Permit Bill" provided that the local authorities may refuse to grant any and all such permits. After a very long-drawn-out and difficult contest this bill was enacted by both branches of the Legislature and signed by the Governor.

The prohibitory amendment to the Federal Constitution was ratified by the Massachusetts Legislature, by a vote of 145 to 91 in the House of Representatives on March 26, 1918, and by a vote of 27 to 12 in the Senate, on April 2, 1918. Massachusetts was thus the eleventh state to ratify.

Early in the session of the Legislature of 1920, twelve bills were introduced by the opponents of Prohibition. Several of these bills were directed against the Eighteenth Amendment or the Volstead act. Others were attempts to legalize the sale of beer and wine, declaring the same to be non-intoxicating.

The Massachusetts League introduced only one bill—House Bill 798, an act to carry into effect, so far as the commonwealth of Massachusetts is concerned, the Eighteenth Amendment to the Constitution of the United States.

The State Enforcement Code which was introduced at the beginning of the legislative session of 1920 and which was referred to the next General Court was taken from the files of the Legislature early in January, 1921, and referred to the Committee on Legal Affairs.

At the urgent request of the counsel for the House it was decided to redraft this bill, Senate Bill 68. The present liquor law is found in Chapter 138 of the newly codified general laws. After the chapter had been written it was found that the 2.75 Per Cent Beer Referendum had been approved at the November state election. The codification committee had, therefore, only a very short time in which to rewrite the chapter so as to have it include the new act. In attempting to incorporate this fake beer act into the chapter the commission encountered trouble with the result that Chapter 138 is a legal monstrosity.

The counsel for the House and for the Senate requested the League to write a new bill repealing all of the present liquor law and then including in the new chapter all the valid and useful provisions of the present law as well as those sections of the Volstead act which are applicable to state enforcement.

After a long hearing and several executive sessions of the Committee on Legal Affairs it was finally decided that a sub-committee be appointed to make a special study of the proposed

code. The sub-committee finally reported the bill, having made a few changes of minor importance. By a vote of 13 to 2 the Committee on Legal Affairs, composed entirely of lawyers, reported the bill known as House Bill 1612.

In the House this bill was passed by a vote of 139 to 80, after many amendments had been defeated as well as a substitute bill which was offered by Representative Lyman of Easthampton. This substitute bill was very unsatisfactory in that it would leave the Massachusetts law in a chaotic condition and would hamper rather than expedite enforcement.

The measure then went to the Senate and after considerable delay, on the motion of Senator Reed of Taunton, an order was introduced in which the constitutionality of certain provisions of the bill was questioned and an opinion required of the Massachusetts Supreme Court. The Committee on Rules amended this order so as to refer the matter to the attorney general and the order was passed.

Friends of the bill were quite apprehensive of the result since the treasurer of the Constitutional Liberty League, the chief opposing organization, is one of the assistant attorney generals. The opinion rendered by the attorney general in effect stated that eight sections of the bill were unconstitutional in that they provided for a delegation of legislative power to the Federal government.

The fact that the legislative counsel for the House and for the Senate as well as the League attorneys and thirteen of the fifteen lawyers of the Committee on Legal Affairs had carefully scrutinized and approved the bill caused the League to believe that it could not accept the opinion of one man on this matter.

Rather than to attempt during the last hours of the session to amend the bill so as to conform with the requirements of the attorney general, it was thought best to have an order passed requesting an opinion of the Massachusetts Supreme Court on the constitutionality of the bill in every respect. This measure was adopted and the bill went to the Supreme Court.

Had it not been for the question of constitutionality being raised the bill would have passed the Senate by a substantial majority. The League did not feel that it was wise to force through a bill the constitutionality of which had been questioned, especially in view of the fact that in all probability if the measure passed a referendum petition would be filed and the matter would go before the people at the November election, 1922. Until that time the bill would remain inoperative and it seemed wiser to have

the constitutionality of the bill determined in advance of final legislative action or of a referendum.

A bill was introduced in the Legislature of 1922 designed to carry into effect as far as Massachusetts is concerned the Eighteenth Amendment to the federal constitution. This measure, known as House Bill No. 1600, after public hearings for both proponents and opponents by the committee on Legal Affairs, was favorably reported by a majority of the same committee to the House of Representatives.

The Code passed the House by the vote of 134 to 68 and was subsequently passed by the Senate by a vote of 28 to 9. It was signed by the Governor, May 17, 1921. In the ordinary course of events the code would become operative ninety days from the date it received the Governor's signature. But, the Constitutional Liberty League having filed a petition asking for a Referendum on the law and requesting that the operation of such law be suspended, the Code will be suspended pending the action of the voters at the state election, November 7th, if this petition is completed by filing with the Secretary of the Commonwealth not later than ninety days after the Governor's signature was affixed the signatures of not less than 15,000 qualified voters of the Commonwealth.

When a law is submitted to the people by Referendum and is approved by a majority of the qualified voters voting thereon, such law shall, subject to the provisions of the Constitution, take effect in thirty days after such election; if not so approved, such law shall be null and void; but no law shall be held to be disapproved if the negative vote is less than thirty per cent of the total number of ballots cast at such state election.

The following is the vote by Massachusetts cities on 2.75 beer, described on the ballot as certain "non-intoxicating beverages", which vote was taken in December 1921; as compared with the vote in the same cities in 1920:

	1921		1920	
	Yes	No	Yes	No
Attleboro	1,007	1,220	1,939	2,575
Beverly	1,867	2,857	2,925	3,655
Boston	86,767	45,937	32,992	21,216
Brockton	9,147	8,250	9,130	8,074
Cambridge	8,161	8,152	8,720	7,856
Chelsea	3,888	2,412	3,955	1,530
Chicopee	3,415	1,807	1,724	1,587
Everett	3,277	4,902	3,233	4,326
Fall River	9,716	5,699	11,875	8,939
Fitchburg	1,421	1,204	4,575	4,396
Gloucester	1,888	1,667	1,904	3,225
Haverhill	3,519	2,881	*6,045	*7,051
Holyoke	7,068	5,801	5,515	4,298

	Yes	No	Yes	No
Lawrence	11,988	5,125	10,098	4,642
Leominster	1,901	1,786	1,157	1,292
Lowell	12,544	9,393	9,873	7,190
Lynn	10,470	9,544	5,200	6,322
Malden	1,405	3,500	2,443	4,382
Marlboro	2,369	1,872	2,369	2,199
Medford	2,486	5,213	4,084	4,900
Melrose	1,125	3,579	1,171	3,203
New Bedford	14,655	7,375	12,250	7,125
Newburyport	1,842	2,488	869	1,078
Newton	4,638	7,207	1,415	2,484
North Adams	1,686	1,770	1,579	2,141
Northampton	1,956	1,720	2,065	2,254
Peabody	1,314	1,352	2,296	1,933
Pittsfield	4,742	5,251	4,954	5,274
Quincy	1,740	2,201	4,641	6,552
Revere	2,466	1,657	2,708	1,595
Salem	4,665	4,783	4,276	3,549
Somerville	5,135	8,751	*8,938	*12,400
Springfield	4,155	4,393	6,481	5,291
Taunton	2,123	1,581	3,561	3,304
Waltham	2,308	3,240	982	1,932
Westfield	1,162	845	1,943	*2,654
Woburn	1,546	2,102	2,110	3,087
Worcester	23,751	17,978	22,003	16,481
Totals	265,315	207,493	220,962	191,992

*In December, 1920, Haverhill did not vote on the beer question.

*Somerville had no election.

*Westfield was not recorded.

The figures for these three cities are those of the referendum vote of November.

(Additional matter may be found in the report of Cora Frances Stoddard, secretary of the Scientific Temperance Federation, under the heading "Wet and Dry Years in a Decade of Massachusetts Public Records.")

MICHIGAN

Statutory Prohibition was adopted in Michigan in 1853 and remained on the statute books until repealed by the Legislature in 1875. Constitutional Prohibition was voted on in 1887 and defeated, the record being 178,636 for, and 184,251 against the amendment.

Prior to the adoption of the prohibitory amendment in 1916, great progress had been made in the no-license campaigns held from year to year in the counties of Michigan. Under the provisions of the county local option law, 45 of the 83 counties of the state had been carried for no-license. In January, 1908, there was just one dry county in the state. In January, 1909, there were 11 dry counties. In January, 1910, there were 30; in January, 1911, there were 40; in January, 1912, there were 39; in January, 1913, there were 35; in January, 1914, there were 33; in

January, 1915, there were 34; in January, 1916, there were 44, and in January, 1917, there were 45.

Between 1906 and 1915 the number of saloons in Michigan was reduced by 1,955. The county option elections of 1915 closed 342 additional saloons, and those of 1916 added 26 to the total put out of business. When the amendment went into effect May 1, 1918, 3,285 saloons and 62 breweries were closed.

The Legislature of 1909 enacted a search and seizure law and provided that the number of saloons should not exceed one to 500 of the population. As a result of this law, more than 200 saloons in the Upper Peninsula of Michigan went out of business on May 1, 1912, after the provisions of the law had been clearly set forth in a decision by the State Supreme Court.

According to the report of the Attorney General of Michigan for the year ended June 30, 1910, there were 226 prosecutions for violations of the local option law in 37 dry counties of the state during the year, while there were 691 prosecutions for violations of the saloon laws in 47 wet counties. This means that during the year there were more than two violations of the liquor laws in wet counties to every one in dry counties.

In 1911 the Legislature enacted a law permitting the saloons to open on Washington's birthday, Lincoln's birthday and Columbus Day. The anti-liquor forces, however, succeeded in tacking an amendment to this holiday bill, giving to Councils of cities and villages, as well as Township Boards, the right to reject any and all liquor bonds.

The Legislature of 1915 passed what is known as the Stevens bill, which provided that before the consignee of liquor shipments could receive the same, he must make affidavit that he was of full legal age and not disqualified under the law of Michigan to receive the same. The same Legislature also passed an anti-liquor advertisement bill. It gave the Township Boards the right to reject all applications for liquor licenses and passed a law to prohibit the selling or furnishing of intoxicating liquors at lumber camps, or on or along the right of way of logging railroads to any employee thereof.

A statutory Prohibition bill containing a referendum clause was presented to the Legislature of 1915 for adoption, but failed of passage.

The prohibitory amendment to the State Constitution was submitted to a vote of the people on November 7, 1916, with the result that the amendment was adopted by a majority of 68,624, the vote being 353,378 for the amendment and 284,754 against the

amendment. This provision of the State Constitution became effective on May 1, 1918.

At the same election at which the prohibitory amendment was adopted, a so-called home rule provision initiated by the liquor forces of the state, which was proposed for the defeat of statewide Prohibition and the repeal of the county local option law, was buried under a majority of 122,599 votes.

The liquor forces of the state in 1918 submitted an amendment to the state constitution to allow the manufacture and sale of all vinous and malt liquors. This "beer and wine amendment" was defeated at the spring election on April 7, 1919, by a majority of 207,520 votes.

On January 2, 1919, the second day of the 1919 session of the Michigan Legislature, the constitutional amendment for national Prohibition was ratified by a vote of 30 to 0 in the Senate and 88 to 3 in the House. Michigan was the sixteenth state to ratify.

In August, 1919, the wets filed petitions asking for a referendum on the action of the Legislature in ratification of Constitutional Prohibition. Upon advice of the attorney general, the Secretary of State refused to receive and file these petitions. Then the wets brought mandamus proceedings to compel the Secretary of State to show cause why said petitions should not be received and filed and an election ordered in November, 1920.

This case was taken to the Supreme Court, which rendered a decision holding that the action of the Legislature was final and that the constitutional amendment had been legally acted upon, making the Eighteenth Amendment part of the Constitution of the United States, so far as the action of the state of Michigan was concerned.

The 1921 Legislature enacted a bill creating the Department of Public Safety, the commissioner and deputy commissioner to be appointed by the Governor. Under the law this new department takes over the duties of the state fire marshal, state oil inspector, and the state police. This department has charge of the enforcement of state Prohibition laws.

Another law was enacted by the Legislature of 1921, providing stricter regulations for the manufacture and sale of proprietary medicines.

Other legislation passed by the 1921 Legislature provides for the confiscation of automobiles, airplanes, or other vehicles or watercraft, used in the illegal transportation of intoxicating liquors, and prohibits the sale of stills except such as are authorized by law for use in laboratories and for other lawful purposes.

MINNESOTA

Prior to the going into effect of National Prohibition, the state of Minnesota was under local option.

The municipal local option law applied to all villages, towns and cities of less than 10,000 and was enacted by the Legislature of 1913. The county option law was enacted by the Legislature of 1915. Under the county option law adopted March 1, 1915, 61 counties held county option elections and 49 of them voted out the saloons. In addition to this, eight counties were dry by local option and six were dry under the provisions of the Chippewa Indian treaty. Minnesota, therefore, had 63 dry counties out of a total of 86 when National Prohibition became effective.

In the 1915 session of the Legislature a roadhouse bill was passed, thus closing up the saloons in the rural districts adjoining the larger cities and bringing to an end these obnoxious places.

In June, 1916, the city of Duluth, under the provisions of its charter, held a wet and dry election and succeeded in voting out the saloons by a majority of 364. Duluth is a city of 90,000 people and contained 167 saloons.

On January 1, 1914, the state had 2,941 saloons. On January 1, 1918, there were 1,405 saloons in the state, thus showing a decrease of 1,536 for the four years.

The Legislature of 1917 submitted the question of constitutional Prohibition for the state to a vote of the people, which vote was taken on November 5, 1918. The majority for constitutional Prohibition was 15,932, but owing to the peculiar construction of the state law, which requires a majority of the entire electorate voting at the election, the Prohibition amendment failed to carry by 756 votes. If adopted, the Prohibition amendment would have gone into effect July 1, 1920.

In the November (1918) election the dry forces carried the city of Minneapolis by 6,931 votes, and held the city of St. Paul down to a wet majority of less than 2,000. The dries also carried a number of the important wet counties of the state, and elected a large dry majority to both houses of the state Legislature.

On April 24, 1919, the Minnesota Legislature enacted a strong law enforcement measure. This was for the double purpose of putting Minnesota officials in a position to enforce the War Prohibition law and the National Prohibition Amendment.

This law went into effect on July 1, 1919. Test cases were speedily filed by the wets. These cases ultimately came before the State Supreme Court, by which body the state Prohibition law was sustained unanimously at every point.

The Minnesota Legislature took up the consideration of the National Constitutional Amendment on January 16, 1919. After a very brief discussion it was adopted by the House of Representatives by a vote of 92 to 36. It was then sent to the Senate, which passed the measure by a vote of 48 to 11.

One of Minnesota's great Prohibition victories in 1920 was the return to Congress of Honorable Andrew J. Volstead, the author of the Volstead National Prohibition Enforcement Code. Through illegal methods, Mr. Volstead was defeated at the primary. The courts, however, ruled against his opponent's nomination. Both candidates, however, appeared on the ticket at the general election, with the result that Mr. Volstead was re-elected by a majority of approximately 2,000.

The State Legislature of 1921 passed a strict Prohibition enforcement code. This Legislature also passed an enabling act authorizing the council in any municipality to pass dry ordinances in harmony with the state law.

Growing success in law observance and enforcement has obtained in Minnesota during the first two years of national Prohibition. While much remains to be accomplished in this direction, there is a steady increase of popular impatience with liquor law violators and an indignant demand that the Prohibition law be thoroughly enforced.

1. In the state legislature there was no diminution of political support for the Prohibition law, and measures strengthening and extending it were readily passed by increased majorities. These amendments included a provision imposing both fine and jail sentence for first offences; also an enabling act empowering city councils to pass ordinances embodying the provisions of the state Prohibition law; also a search and seizure law empowering officers to seize without a search warrant offenders found in the act of transporting liquor or otherwise violating the law.

2. Powerful efforts of the wets to place the enforcement of the Prohibition law in the hands of their friends have been successfully checkmated and reliable drys have been appointed to almost every important position that has to do with the enforcement of the Prohibition law.

3. During the year recently formed women's organizations representing the two great political parties and the independent women's political organizations have entered into close relations with the Anti-Saloon League and are cooperating in every way to make observance and enforcement of the Prohibition law an active success.

4. In September a very effective law enforcement conven-

tion was held and the organization of local groups was begun for the purpose of developing public sentiment in behalf of the observance and enforcement of Prohibition.

5. When the country was threatened with a flood of medical beer and wine, it was an easy thing to stir the people of Minnesota to vigorous opposition, and thousands of letters and telegrams were sent to the authorities at Washington with good effect.

6. The Federal Prohibition office since its re-organization in September has done exceptionally good work and enjoys the confidence and cooperation of temperance leaders throughout the state.

7. The churches still continue to a large extent their interest and support, 1,157 Prohibition meetings having been held by the Anti-Saloon League during the last year.

8. Numerous counties have organized for the purpose of law enforcement and in some of the principal cities Prohibition ordinances have been prepared and passed by the city councils and are being enforced.

The conditions promise increased success for the ensuing year, while the statistical report for the year just closed is highly satisfactory.

9. In Minnesota the cost of operating the Prohibition office for the year 1921 was \$90,000.00. Collected in fines and assessments from law violators \$133,168.00. Net profits to the department, \$43,168.00. In addition, taxes and penalties still remaining to be collected by the Internal Revenue Department amount to \$2,087,268.00. The Federal Agents have arrested 1,448 persons, confiscated 43,200 gallons of beer, wine, whisky and moonshine, destroyed 224 stills and seized 102 automobiles valued at \$66,-390.00.

MISSISSIPPI

Prior to January 1, 1909, Mississippi was under a local option law adopted in 1886. As a result of the operation of this law, 69 of the 77 counties in the state had adopted Prohibition before the state-wide law was enacted, leaving only about 10 per cent of the state's entire area to be changed from the license to the no-license column when the Prohibition law went into effect.

The Legislature of 1918 had the distinction of putting on the statute books of Mississippi a bone-dry law. No whisky for any purpose whatever can be shipped into the state, and no person can "have, control or possess" any whisky whatever.

The usual exceptions of wine for sacramental purposes and grain or pure alcohol for medicinal and mechanical purposes are made. The penalty for buying or possessing whisky is not less than \$100 or 30 days in county jail, or both; and for making or distilling any spirituous, vinous, malted, fermented or other intoxicating liquors imprisonment in the penitentiary for not more than three years. This law provides also that no property rights inhere in liquors used in violation of this law, nor in any fixtures, furniture or vehicle, conveyance, boats or vessels when kept or used for the purpose of violating any laws of this state.

The Prohibition laws of Mississippi have been improved by every Legislature since the local option law was passed in 1886. The Prohibition legislation has been sustained by a healthy public sentiment. There have been no reactions.

Mississippi has the honor of being the first state in the Union to ratify the prohibitory amendment to the Federal Constitution. The resolution providing for ratification was adopted on January 8, 1918, by a vote of 28 to 5 in the Senate and 93 to 3 in the House.

On Monday, March 7, 1921, the Supreme Court of Mississippi sitting en banc handed down a decision in the case of Merriweather vs. The State, in favor of the state. The contention of Merriweather was that Federal anti-liquor legislation had nullified the dry laws of Mississippi. This adds another proof that Mississippi anti-liquor laws are almost invulnerable. They have stood many tests in the courts, with the invariable results that they are constitutional, both state and national.

The Legislature of 1922 strengthened the state Prohibition laws by providing that any person convicted of having in his possession more than one quart of whisky or any other intoxicating drink shall be sentenced to serve not less than thirty days nor more than ninety days in jail; and that anyone convicted of the sale of any intoxicant whatever shall serve not less than ninety days nor more than six months in jail, both penalties being in addition to the money fine fixed by the old law.

This bill further provides that "No Justice of the peace or Judge shall have authority to suspend said jail sentences."

There is no doubt but that the Prohibition laws, both state and federal, are better enforced than they have ever been. The county officers are evidently doing better work than ever before.

MISSOURI

Prior to the going into effect of National Constitutional Prohibition, Missouri was under a local option law which was adopted

in 1887. This law permitted the liquor question to be settled by a vote of the people in each county, exempting from the operations of the law, however, cities containing a population of 2,500 or more, and permitting these cities to vote as separate units. This law provided for elections to be held not more frequently than once in four years.

The Legislature of 1913 enacted a county option law providing for a vote on the liquor question in each county without exempting the cities of any class. The liquor forces secured a referendum on this law, however, and in the general election of 1913 it was voted down along with the 14 other amendments on the ballot.

During 1916 there was waged a campaign for state-wide Prohibition. The state, outside of St. Louis, voted dry by over 5,000 majority—St. Louis rolling up more than 100,000 wet, thus holding the state, but at a reduced wet majority of 96,000 votes.

The Legislature of 1917 passed two clean election laws, one permitting the dry forces to put a challenger in the polling places throughout the state when a Prohibition measure is being voted on under the initiative or referendum, the other establishing the right to contest an election in case of apparent fraud.

The amount of license tax paid by each dramshop under the law passed by the 1917 Legislature was \$400 for state and \$500 to \$800 for county purposes, leaving the municipality to place the tax at any figure not considered confiscatory by the courts.

An amendment to the state constitution, providing for state-wide Prohibition, was submitted by the 1917 Legislature, and was voted on at the November election in 1918. The Prohibition measure was defeated by a majority of 72,853, the vote being 227,501 for Prohibition and 300,354 against. The wet majority in the 1916 election on state-wide Prohibition was 122,538. Even the city of St. Louis increased its dry vote in 1918 over 1916 by 981.

When National Prohibition went into effect in Missouri, of the 114 counties of the state, 85 were entirely under Prohibition and 14 others were under Prohibition with the exception of cities containing 2,500 population or more. The number of dramshops in the state had been reduced to 3,100, 90 per cent of the area of the state was under Prohibition and 53 per cent of the population was living in Prohibition territory.

January 16, 1919, stands out as a red-letter day not only in the history of the Anti-Saloon League nationally but also in Missouri as that was the day upon which the Missouri Legislature ratified the National Constitutional Amendment for the Prohibition of the liquor traffic. The vote in the Senate was twenty-two

(22) "yes" to ten (10) "no," and in the House one hundred four (104) "yes" to thirty-six (36) "no."

Following this ratification a strong law enforcement measure was introduced in both House and Senate which finally carried by a vote of 95 to 28 in the House and 23 to 7 in the Senate.

The opponents of the law succeeded in calling for a referendum on this measure. A vote was taken on November 2, 1920, with the result that the law was sustained by more than 60,000 majority in a total vote of almost half a million.

MONTANA

The county option law, which operated until Prohibition went into effect in Montana, provided that one-third of the electors qualified to vote for representative in the last preceding election may petition the County Commissioners to call an election. If the Commissioners found the petition sufficient, they were compelled to call an election within 60 days, and if the county voted dry the saloons were closed within 30 days after the vote had been canvassed. The Supreme Court sustained the validity of the county option law and ruled that any county could operate thereunder until the state-wide Prohibition law went into effect.

A referendum measure, providing for state-wide Prohibition, was submitted to a vote of the people, by the 1915 Legislature. The vote was taken on November 7, 1916, and resulted in a dry majority of 28,886, there being 102,776 votes cast for the amendment and 73,890 votes cast against it.

The Legislature of 1917 passed a law to abate places wherein or whereon liquor is sold contrary to law, also a law to abate houses of prostitution or assignation, gambling resorts, or places used contrary to the provisions of the "wine room laws" of the state. A comprehensive measure, embracing search and seizure, abatement of blind pigs, removal from office of officers found guilty of refusal to enforce the Prohibition laws of the state, and defining the manner in which pure grain alcohol may be sold for scientific and manufacturing purposes, or denatured alcohol for mechanical purposes and wine for sacramental purposes, was passed by the 1917 Legislative Assembly. A bill regulating pool halls was also passed by the Legislative Assembly of 1917.

At a special session of the Legislature, which convened February 14, 1918, for the purpose of enacting war emergency measures, the prohibitory amendment to the Federal Constitution was ratified, by a vote of 35 to 2 in the Senate and 77 to 8 in the House.

The Legislative Assembly of 1921 adopted a law known as

the Sigfreid act, permitting physicians to prescribe spirituous liquors for medicinal purposes, thereby repealing a part of the law adopted by referendum to the people. The operation of the law has led to wide-spread abuse and demonstrates that among the physicians and druggists, into whose hands the prescription and sale of liquors has been committed, great numbers are found who have no respect for either the spirit or the purpose of the law.

The Extraordinary Session of the Legislature adopted the Volstead act as a state law thereby making uniform the state and federal laws relating to the enforcement of Prohibition. To this was added a provision for the creation of a state Law Enforcement Fund, from half the fines and forfeitures for violating the Prohibition law, to be used under the direction of the state Board of Examiners in the employment of special officers to enforce the laws relating to intoxicating liquors.

Montana was the seventh state to ratify the Eighteenth Amendment: the Senate voted 35 to 2 in favor of ratification and the House voted 77 to 8 for ratification.

Montana, in the enforcement of the law prohibiting the transportation of intoxicating liquor, is the buffer state for Wyoming, Colorado, Utah and Idaho, as the rum runners from these states must very largely come through Montana with their illicit booze from Canada. To suppress this lawlessness, pursued with daring persistency, has been a difficult task but great gains have been made by the officers who are making the business unprofitable and increasingly hazardous.

A few officers have yet scarcely known that the Eighteenth Amendment has been adopted. But they are rapidly ascertaining the fact. The beneficent effects of Prohibition on the moral and material welfare of the citizenship is so manifest, and the attempt to nullify the law by a small and vociferous minority is so clear, that great numbers of citizens who hitherto have been neutral in the matter are outspoken for enforcement.

The Courts are increasing the penalties for violations of the law and little difficulty is found, upon presentation of clear evidence of guilt, to obtain convictions by juries.

NEBRASKA

The conflict for Prohibition in Nebraska began during the territorial days when the territorial Legislature passed a prohibitory law. This law was soon repealed and a low license law was passed in its place.

From 1875 to 1877 a great temperance movement swept over

the state and public sentiment demanded the submission of a prohibitory amendment. This was sidetracked and, in 1881, the Legislature enacted the Slocumb high license law, called the Slocumb law from the fact that Hon. Chas. B. Slocumb, of Jefferson county, introduced the bill in the Legislature. This was the highest high license law ever adopted by any state in the Union, the minimum license being \$500 and the maximum unlimited. Usually the license was fixed at \$1,000 for each saloon.

The liquor dealers, brewers and distillers made such a rebellious opposition to the enforcement of this law that citizens were compelled, in some places, to organize law and order societies. It was during this time that Col. Watson B. Smith, a staunch Prohibitionist and law enforcer, was murdered in the U. S. Court-house in Omaha. His assassin remains unknown to this day. As the dry sentiment in the state increased the wets gradually began to change their attitude towards this law and they finally came to look upon it as their strongest protection. In many municipalities voters could be found who were influenced to vote wet because of the large license fees. The seductive argument of the wets was "the large amount of money we pay reduces taxes."

In 1890 state-wide Prohibition was submitted to the people. The dries put up a tremendous campaign but, notwithstanding, the proposition was defeated by a majority of 29,436.

The fight for Prohibition never ceased. From time to time new laws were secured through the Legislature restricting, more and more, the liquor traffic.

The greatest blow to the liquor interests, outside of Prohibition itself, was the passage, by the Legislature of 1909, of the law known as the "Eight O'clock Closing law," which compelled the saloons to close at 8 o'clock p. m. and not to open until 7 a. m. Drunkenness and crime were largely decreased as an immediate effect of this law.

The conflict continued to rage and a state-wide campaign for county option swept over Nebraska. The measure was voted on by the Legislature in 1911 and was passed by the House of Representatives by a large majority, but was defeated in the Senate by a majority of two.

The next move was for the initiative and referendum, which act was submitted by the Legislature of 1911 and adopted by the people in 1913 by a vote of more than five to one.

By 1912, under the local option law, 31 out of the 93 counties in the state were dry; many of the municipalities had outlawed the saloon and one-half of the population of the state were living in dry territory.

In 1916, under the initiative and referendum act, a prohibitory constitutional amendment was submitted to the voters and was adopted by popular vote at the regular election of November 7, 1916, 146,574 votes being cast for the amendment and 117,132 votes against it.

In 1890 Prohibition was defeated by a majority of 29,436. In 1916 it carried by a majority of 29,442.

At this election 80 of the 93 counties of the state gave Prohibition majorities.

The prohibitory amendment to the state constitution became effective May 1, 1917. At the time state-wide Prohibition went into effect, a large part of the territory of the state had been made dry under the local option law. Forty-four municipalities, ranging in size from 1,000 to 5,000 population, and 263 municipalities having a population of less than 1,000 each, had outlawed the saloon.

In 1917 the Legislature, which was strongly dry, adopted a comprehensive law to enforce Prohibition. It contains some of the most drastic provisions to be found anywhere in the United States.

On January 13, 1919, the House of Representatives unanimously ratified the Eighteenth Amendment, and, on the 16th, it was ratified by the Senate by a vote of 31 to 1, making Nebraska the thirty-sixth state to ratify the amendment.

NEVADA

Prior to the adoption of Prohibition, Nevada had more retail liquor establishments in proportion to the population and less proportionate territory under Prohibition, with more people living in wet territory, in proportion to the population of the state, than any other state in the Union.

State Prohibition was adopted by a vote of the people under the referendum law at the election in November, 1918, the vote being 13,248 for Prohibition and 9,060 against Prohibition, thus giving a clear Prohibition majority of 4,188. The law went into effect December 16, 1918.

The petition calling for the submission of state-wide Prohibition to a vote of the people was signed by 7,465 names, being more than 26 per cent of the votes cast at the last general election, and 21 2-3 per cent of the total registration of the state.

Nevada in December 1918 had one licensed place to sell liquor to every 80 people.

The 1919 session of the Nevada Legislature ratified the fed-

eral amendment providing for national Prohibition by a vote of 34 to 3 in the House on January 20, and 14 to 1 in the Senate on the following day. Nevada was thus the forty-second state to ratify.

NEW HAMPSHIRE

Prior to May 1, 1918, New Hampshire was under local option. From 1855 until 1903 the state of New Hampshire was under Prohibition. In 1903, however, a local option provision was enacted by which all the towns were required to vote at the November election every two years, and the cities once in four years, on the question of license, or no-license. If a majority of the votes on this question were in the affirmative the license provisions went into effect on the first day of the May following and continued for two years in the towns and four years in the cities, when another vote must be taken. If the majority of the votes cast was against license, then the prohibitory law of 1855, with its amendments, remained in full force and effect.

The first vote was taken in the whole state at a special election in May, 1903, when the 11 cities and 59 towns voted for license, and 165 towns voted against license.

In 1906, when next the whole state voted, six cities and 193 towns voted no-license.

In 1910, seven cities and 23 towns voted for license, and four cities and 201 towns voted against license. Two cities and 12 towns changed from dry to wet, and 14 towns changed from wet to dry.

In 1912, November 5, all the towns voted. Twenty-one voted for license and 203 voted against license. Eleven towns changed from license to no-license; eight towns changed from no-license to license. None of the cities voted in 1912.

The total license vote in the towns in 1912 was 14,518, while the total no-license vote was 27,875.

In 1914, every city and town voted on the question of license or no-license. The total license vote was 32,776, the no-license vote 40,439, giving a majority of 7,663, the largest no-license majority ever given. One city and four towns changed from no-license to license, and five towns changed from license to no-license.

In November, 1916, every town voted, but not the cities. Seventeen towns voted license; 207 towns no-license.

In 1909 a law was enacted by the Legislature prohibiting

license holders shipping liquors from any part of the state into no-license cities and towns. This law was known as "the Preston amendment." In 1911 and 1913 the organized liquor interests made most strenuous efforts to have this law repealed, but were defeated. They also tried to make it possible to get lighter penalties in case of violations. These efforts also failed.

In the Legislature of 1915 the liquor interests introduced several bills to weaken the license law, but under the pressure for the repeal of the license law they withdrew those bills and concentrated on retaining the license law, which effort succeeded. The state Prohibition law was enacted in April 1917 on a final vote of 190 to 185 in the House, and in the Senate by 14 to 9 and went into effect May 1, 1918.

New Hampshire ratified the National Prohibition Amendment to the federal constitution by a vote of 19 to 4 in the Senate on January 15, 1919, and a vote of 221 to 131 in the House of Representatives on the same day. New Hampshire thus became the thirty-fifth state to ratify.

In 1919 the liquor interests of the state made a desperate attempt to nullify the state Prohibition law by exempting beer and light wines from its provisions. This measure was defeated on March 26, by a vote of 179 to 161 in the House of Representatives; and the Prohibition law of 1917 was amended by its friends by strengthening the provisions for enforcement.

In 1921 an effort was made to break down the Prohibition law by abolishing the office of State Commissioner of Law Enforcement. The vote was essentially a wet and dry vote, and the bill was killed by 264 to 81. In 1917 the Prohibition law was enacted by a majority of 5 votes in a House of 406 members. In 1921 the law was reaffirmed by a majority of 183.

NEW JERSEY

Until the Eighteenth Amendment to the Federal Constitution became effective, New Jersey was under license and local option.

Prior to January 29, 1918, the voters had no method, other than by petition, of outlawing the liquor traffic, but after strenuous efforts for a great many years, a municipal local option law was signed by the Governor on January 29, 1918, and became immediately operative.

The result was that a large number of municipalities, covering 30 per cent of the territory of the state, voted dry within a few months.

The liquor forces appealed a great many of these elections,

to the Supreme Court, chiefly owing to technical irregularities committed by wet clerks and municipal bodies. Thirty-six of such cases were carried to the Court of Errors and Appeals, either by the liquor forces or the Anti-Saloon League.

Governor Edwards, through his unwarranted statements, had advertised the state of New Jersey throughout the world as the wettest state in the Union. The answer of the people at the 1920 election was an overwhelming defeat to the Governor's party, and a reversal of his policy.

The Legislature of 1920, under the Governor's whip and spur, enacted a bill defining intoxicating liquor as any beverage containing more than 3.50 per centum of alcohol, by volume, and the attorney general instituted, in the name of the state of New Jersey, a remonstrance against the Volstead act, and made claim that the Eighteenth Amendment was unconstitutional. This case was argued before the Supreme Court, and the New Jersey appeal was unanimously declared to be baseless.

In the 1920 election, the Republican party took a firm stand for proper legislation to enforce the Eighteenth Amendment, and the Democratic party was silent on the question at the state convention, but in the more populous counties of Essex and Hudson, the party took a strong stand for the repeal of the Volstead act.

The result of the election was that the Republican party elected 11 of the 12 members of Congress—the lone Democrat being the only member pledged to repeal; whereas, 7 of the Republican members were personally pledged to sustain the Volstead act, while 4 were pledged by their party platform.

In the House of Assembly, the Democratic party elected only one member—and he was dry. This was the people's reply to Governor Edwards.

In the 1921 Legislature the Assembly unanimously repealed the Edwards pro-beer law, and in the Senate only one vote was registered against the repeal.

A very comprehensive and drastic bone dry Prohibition enforcement code was enacted known as the Van Ness act, in the preparation of which a number of the most prominent lawyers in the state collaborated with Attorney G. Rowland Munroe, of the Anti-Saloon League.

This law, which provided for a summary trial of persons charged with violations of the law as disorderly persons before a magistrate, without indictment or trial by jury—was rapidly sending bootleggers to jail. Nearly 500 appeals were taken, and the Supreme Court sustained the law unanimously, but the

Court of Errors and Appeals, which has a number of lay members, reversed the Supreme Court's decision, but made no record of reasons for such reversal.

A remarkable feature of this decision was that the Court, by separate votes on the four main points under review (including the no-jury feature), sustained those features of the law. The decision, without a recorded opinion, is an anomaly in New Jersey jurisprudence.

The Prohibition law was the leading issue in the 1921 Legislative Campaign, and the Republican Party, which stood for sustaining the Constitution and the Prohibition law, elected a large majority in both the Senate and House of Assembly.

Five Prohibition Bills were drawn by Assemblyman George S. Hobart, and Attorney Munroe of the Anti-Saloon League, accepted by the Republican caucus as party measures, and promptly passed over the veto of Governor Edwards.

The main law adopts the general features of the Volstead act, combined with the form of the Van Ness act. It is "bone-dry" with strong search and seizure and punitive features.

The companion law provides for the regulation of intoxicating liquors for non-beverage purposes.

A third law provides for abatement as a nuisance of any premises where the law is habitually violated.

A fourth law authorizes civil action against any person who has sold intoxicating liquors, and the recovery of damages by any person injured thereby.

The fifth law in the code authorizes Boards of Freeholders to pay any expenses incurred by any Prosecutor in bringing action in the United States Court under Section 22 of the Volstead act to enjoin as a nuisance any premises wherein the law has been violated.

The 1921 Legislature, on the question of ratification of the Eighteenth Amendment voted 51 to 4 in the Assembly, and 10 to 8 in the Senate, for ratification. Four Senators refused to vote, and there was, therefore, one short of a majority.

The 1922 Legislature ratified the Eighteenth Amendment by majorities of 33 to 24 in the House, and 12 to 4 in the Senate.

NEW MEXICO

Prior to state-wide Prohibition, New Mexico was under the local option law, which permitted each city and village to vote on the liquor question. Under this law no saloons were permitted to be licensed "except within the limits of a city, town

or village containing at least 100 inhabitants." A municipal and a county or district Prohibition law were passed by the 1913 Legislature. Under these, incorporated municipalities vote by themselves, and the balance of the county, or any smaller district therein, votes by itself. Thus it was a bisected county unit law. The 1917 Legislature amended this law so as to include incorporated municipalities of 1,000 population or less, in the country districts of the county.

The prohibitory amendment to the state Constitution was adopted by a vote of the people on November 6, 1917, and went into effect on October 1, 1918.

The regular session of the Legislature convened on January 14, 1919, and as its first act ratified the National Prohibition Amendment to the federal constitution, the vote being 47 to 1 in the House and 12 to 4 in the Senate. This session of the Legislature passed a law enforcement act prohibiting public possession of liquor, enacting search and seizure, changed the penalties from fine and jail sentences to jail and penitentiary sentences and prohibited the courts from suspending sentences. As a separate measure the state mounted police force was added to and greatly strengthened both by enlarged appropriations and added authority.

NEW YORK

By a colonial law published at a general meeting in 1664, every New York inn-keeper was required to be "always provided of strong and wholesom beer" and penalized for failure to have it as severely as he was for failing to have stable-room, provender and attendance for horses or for over-charging guests. Thus began a close legal alliance between hotels and the liquor traffic in New York which lasted until 1921. This same law held also the seeds of Prohibition for it prohibited trafficking in liquors by all unlicensed persons and the selling of liquor by anybody to Indians "except by way of relief or charity to any Indian in case of sudden sickness, faintness or weariness."

In 1697 Prohibition was made absolute respecting Indians in Albany County and frequenting tippling-houses on Sunday and being drunk were made finable offenses. In 1710 an excise tax was levied on amounts sold. In 1712 sales to slaves were prohibited, and in 1745 sales to servants and apprentices. In 1772 violations of the three latter Prohibitions were made to void a license in case the owner of a slave or master of an apprentice or servant had not given consent.

In 1779 all distilling from grain was prohibited as a war

measure under penalty of 200 pounds fine. In 1798 Sunday sales were prohibited except to lodgers and travellers, and sales were prohibited where goods were sold. In 1820 Overseers of the Poor were empowered to prosecute for penalties under the liquor laws for the benefit of the poor.

Local option for towns and cities, save New York City, was enacted in 1845 and repealed in 1847.

A state prohibitory statute was enacted in 1855 and declared unconstitutional by a 5 to 3 opinion in March, 1856, because liquor possessed at the time of the enactment was not excepted from the prohibition—a ruling totally at variance with prevailing legal opinion in America.

In 1887 came the law requiring scientific temperance instruction in the public schools.

In 1889 the law placed the licensing power in the hands of local Boards of three Excise Commissioners each who could withhold all licenses if they so willed. This gave a quasi, indirect form of local option through the nomination and election of commissioners supposed to be against license, but their legal freedom to do as they pleased after election often resulted in the opposite of what they had promised.

In 1896 the "Liquor Tax Law," often called the "Raines Law" was enacted, ending the local option privileges of cities but giving mandatory option to electors in towns through biennial submissions of four questions: (1) Shall liquor be sold to be drunk on premises where sold; (2) Shall it be sold not to be drunk on premises where sold; (3) Shall it be sold on doctors' prescriptions in drug stores; (4) Shall it be sold in hotels only. In the first election pharmacists only were permitted to sell in 34 towns, 262 towns voted against all forms of sale, and 646 chose license. By 1889 dry towns numbered 276 out of 942 and by 1917 were 520 out of 932. In May, 1917, a local option law for all cities save New York was passed. In 1918 the first vote occurred in 39 of the 59 cities of the state, and 20 of these cities voted dry on April 16, 1918, thus cutting off more than 900 licenses of all sorts.

National Prohibition found 653 towns and 20 cities dry.

The liquor interests, in an effort to head off Prohibition, introduced a restricted measure of their own, providing for not more than one saloon for every 500 inhabitants in places under 55,000.

New York, which furnished only three out of its 43 congressional votes for submission of the National Prohibition Amendment in 1914, cast 13 votes in favor of submission in 1917, with one additional vote officially paired in favor.

A resolution providing for ratification of the National Pro-

hibition amendment to the federal constitution was adopted by the General Assembly of New York on January 23, 1919, by 81 to 66 votes, and by the State Senate on January 29 by 27 to 24 votes. New York thus became the forty-fourth state to ratify.

The effort, later in the same legislative session, to pass a nullification beer act, was unsuccessful, but it succeeded in 1920 through a coalition of wet Republicans and Tammany on this question. But the reaction against this and the manner of doing it, was so great as to lead, in spite of treachery and another Republican deal with Tammany, to the election of Governor Nathan L. Miller on an honest enforcement platform. In March, 1921, the legislature repealed the nullification beer act and the old liquor tax and local option laws by the passage of effective enforcement statutes in harmony with Federal law.

About a quarter of a million citizens in the State have covenanted together as follows in about 500 local divisions of the "ALLIED CITIZENS OF AMERICA":

"Desiring to have part in promoting morality and patriotism, and the civic welfare of my community, I hereby subscribe myself a member of the Allied Citizens of America, and covenant with other members to uphold American ideals and the Constitution of the United States (including the Eighteenth Amendment thereto) and to co-operate in all proper efforts to maintain due respect for all laws—local, state and national."

For these divisions of the "ALLIED CITIZENS OF AMERICA" there is a three-fold local program: (1) A community-wide canvass for enrollment of members; (2) The passage of local enforcement ordinances by the local legislative body, the present effort in that direction being the securing of the necessary enabling legislation; (3) the "YONKERS PLAN". Whenever, after having exhausted efforts at cooperation, the officials demonstrate deliberate unwillingness or incurable incompetence to discharge their enforcement duty, the full power of publicity is to be employed to compel action specifically, to-wit.: On a basis divorced from all political activity, to secure evidence of the violation of law, and, without further notice to the officials and without fear, favor or reservation, to give it to the public, persistently, at reasonably frequent intervals covering a period of years if necessary, until public demand for enforcement is beyond question and the officials have completely changed their attitude or have been displaced by others who take their oath of office seriously.

The beginnings of Federal enforcement in New York were honeycombed with corruption and marked by incompetence or

worse, and there was no local police cooperation. Passage of the State Enforcement Code brought police aid, and new supervision in the Federal office brought a weeding out of incompetent and crooked Federal agents and office men. Amazing results have already been achieved in the world's greatest city and there is steady progress toward the complete Prohibition objective, in spite of the efforts so to discredit it as to prevent the fair trial that will produce results that will clinch Prohibition forever with reasonable watchfulness and activity.

In 1918 Tammany caused the insertion in the Democratic state platform of an anti-ratification plank. The Republican candidates were practically all committed to Prohibition and Tammany lost the legislature. Following the precedent established by Tammany of making Prohibition a party issue, the Republicans caucused in both Senate and Assembly and made ratification a party matter and put it through the Assembly on January 23, 1919, by 81 to 66, and through the Senate on January 29 by 27 to 24, making New York the forty-fourth state to ratify.

New York early became the storm center of the nullification activities of the wets, supported by most of the New York city papers. A desperate effort was made by the Association Opposed to National Prohibition, the false front of the wets, which claims not to be identified with the liquor traffic but is supported by the hotel men and the national organization of the retailers, to defeat the Republican members who stood for ratification, with the result that the Republicans who did not have a two-thirds majority in the Assembly in 1919 elected more than two-thirds to the Assembly of 1920.

Recognizing that it was necessary to throw off the influence of the moral element represented by the Anti-Saloon League immediately, or the old brand of wet politics would be forever destroyed, a most desperate effort was made to discredit the Anti-Saloon League, culminating in the passage of a resolution by the Assembly to investigate the League and its management, followed later by a resolution directing an investigation as to whether the League Superintendent should not be thrown into jail for contempt of the Assembly, and still later by denying him, as the representative of a majority of the churches of the state, the right to speak at a public hearing. When it became apparent that the League really wanted an investigation, the Assembly ignominiously backed down, voting 80 to 54 against a resolution for a joint investigation by committees of both bodies. Only two votes were cast to imprison the Superintendent.

In the last hours of the 1920 session a 2.75 per cent beer bill

was put through which allowed drinking at hotels, restaurants and clubs in cities of 175,000, and sale, not to be drunk on the premises, in all other places.

On April 4, 1921, Governor Nathan L. Miller, elected on a clear-cut Prohibition enforcement declaration by a plurality of nearly 400,000 up-state, which wiped out a nullification plurality voted (and stolen) in New York city of about 320,000, signed the enforcement measure prepared by the bill-drafting department largely under the direction of his personal counsel, and introduced by Senator John B. Mullan of Rochester, Monroe county, and Assemblyman Bert P. Gage of Wyoming county, after passage by a Legislature elected in a campaign where the Tammany candidates were openly pledged to the continuation of nullification.

The new state code is substantially identical in its major features with the Volstead National Prohibition Enforcement act, but was passed in three separate bills to fit into various state codes. It specifically repealed the so-called "nullification beer act" passed by the preceding session, the nullification features of which had already been invalidated by the Supreme Court of the United States. It also repealed the old Raines Excise law, commonly known as the liquor tax law, passed in 1896, which provided for four classes of licenses, and incidentally developed the abuse known as the Raines law hotel. This measure, which allowed a local option vote only to towns (but under which 650 out of 932 towns had voted dry) was zealously guarded by its sponsor throughout his life against any effort to extend its voting privilege to cities or parts of same, or counties, evidently pursuant to some agreement with the liquor interests at the time of its passage. The Excise Department created by it developed into a political machine. The administration of the law developed many political abuses and became a bulwark of the liquor traffic, although the excise commissioners in the main were honest, conscientious men. The new enforcement law, also incidentally the Hill-Wheeler city local option law, passed in 1917 extend the voting privilege to cities.

The reports of various branches of state and local government in New York show an improvement even under imperfect enforcement of Prohibition. The police of New York city were so zealous as to call for toning down of their activity within the limits prescribed by the new state law, the question as to the motive of this previous zeal being left in doubt except as light is thrown on it by the Governor's statement that he would remove officials coming within his removal power who did not treat this law "on the level." In the judgment of the Anti-Saloon League the dis-

strict attorney and the deputy police commissioner in charge of enforcement have made honest, sincere efforts during the three months covered by this report, to enforce the law.

In spite of the clamor that juries could not be found to convict violators there have been more convictions in New York city by jury trial of violators of the general Prohibition law in three months than there were in twenty years of violators of the Prohibition against Sunday sale under the "perfect" regulatory system known as the Raines law.

In the meantime, led by the Evening Mail and the Evening Post, most of the leading New York papers, including the Times, Herald, Sun, Globe, Telegram and Brooklyn Eagle and Brooklyn Times, have declared for the enforcement of the law, the Mail and Post sounding an entirely new note in New York journalism.

The wet parade on July 4, 1921, was staged as the beginning of a nation-wide demonstration against the Volstead act, in which, its promoters said, over 300,000 persons had declared their intention of marching, the last hour prediction being 150,000, the claim after the parade being 100,000 actually marching. According to a leading firm of accountants employed by the Anti-Saloon League, there were actually in line 14,922, including 922 musicians and 44 policemen.

While enforcement is far from perfect in New York, the situation from some angles being nothing short of deplorable and scandalous, it is making steady progress, and the results are undermining the opposition, though a condition of acute crisis will exist in New York for at least five years and it will take at least twenty years to finish the educational campaign necessary to insure general, willing acceptance of the law by the varied population, much of it of foreign birth, of New York city.

NORTH CAROLINA

Prior to the adoption of Prohibition in North Carolina the state was under rural Prohibition by virtue of the so-called Watts law enacted by the legislature of 1903. This law prohibited the manufacture and sale of liquor in all rural sections and contained local option provisions for towns and cities. After operating under this law for five years the temperance forces succeeded in driving the liquor traffic from most parts of the state, until there were left only 25 towns where municipal dispensaries were operated and 45 towns where municipal licenses were granted for saloons.

State statutory Prohibition was adopted by vote of the people on a referendum on May 26, 1908, the vote for Prohibition be-

ing 113,612 and the vote against Prohibition being 69,416. This law prohibited both the sale and manufacture of intoxicating liquors and became operative on January 1, 1909.

The Legislature of 1911, by an almost unanimous vote in both Houses, passed a Prohibition law (known as the near-beer law) prohibiting "the sale of near-beer, beerine and other similar drinks containing alcohol, cocaine, morphine or other opium derivative," except in certain cases. The Legislature also passed a law forbidding clubs to maintain "a club room or other place where intoxicating liquors are received, kept or stored for barter, sale, exchange, distribution or division among the members of any such club, or association or aggregation of persons, or to come among any other person or persons by any means whatever."

The General Assembly of 1913 passed a strong search and seizure law making over one gallon of liquor in one's possession prima facie evidence of guilt.

The General Assembly of 1915 passed an act to prohibit the delivery and receipt of more than one quart of liquor in 15 days, whether for personal use or otherwise.

The General Assembly of 1917 passed a bill making the manufacture of intoxicating liquors a felony and placing the punishment at the minimum of 12 months' imprisonment in state's prison.

The next General Assembly amended this law so as to make it apply only to the second or subsequent offense.

On July 1, 1917, the state became bone dry territory, and no liquor advertisements were allowed to circulate through the mails.

The North Carolina General Assembly of 1919 ratified the Prohibition Amendment to the Federal Constitution, the Senate voting unanimously without a roll call (49 out of 50 being present) on January 10, 1919, and the House voting 93 to 10 (17 members being absent or not voting) on January 14. North Carolina was the twenty-eighth state to ratify.

In 1920, more than one-fifth of all the stills seized by Prohibition agents of the Federal Government were seized in North Carolina.

NORTH DAKOTA

North Dakota has been under state Constitutional Prohibition since its admission to the Union. The constitutional prohibitory provision was adopted by a vote of the people on October 1, 1889, the vote being 18,552 for the amendment and 17,392 against the amendment. The amendment went into effect No

ember 2, 1889. Prohibition has therefore been in force in North Dakota for a period of more than thirty years. It is well enforced and satisfactory to the vast majority of the people.

In 1915 injunctions were placed on the four railroads operating in the state, restraining them from delivering any liquor to be used in violation of the laws of North Dakota.

Not a single bill has ever passed the Legislature and been signed by the Governor since statehood that was intended to weaken or break down the Prohibition law. Each succeeding Legislature has strengthened the law. The people have by observation and experience become convinced of the physical, social, economic and political benefits of the Prohibition principle. Thirty-five per cent of the population are of Scandinavian descent, and about 10 per cent are German. The former constitute the bulwark of Prohibition. In 1916, a very drastic bootlegging law was sent to the people by referendum and carried by a large majority.

The Legislature of 1917 passed a bone dry law which was signed by the Governor on March 9, 1917, and became effective July 1, 1917.

North Dakota was the first state in the Union to call a special session of the Legislature for the purpose of ratifying the prohibitory amendment to the Federal Constitution. The resolution for ratification was adopted by a vote of 96 to 10 in the House of Representatives, on January 25, 1918, and by a vote of 43 to 2 in the Senate, on the same day.

The 1919 Legislature enacted an inspection law which provides three officers with police powers appointed by the attorney general to enforce the law.

Prior to 1917 surrounding states with saloons and wholesale houses were a menace to law enforcement, and until 1913 interstate commerce law made unconstitutional any defensive legislation stopping intoxicating liquors at the North Dakota border. Now that nearby states and the nation are dry, Canada with laws skilfully drawn so as to allow importation into, storage and exportation from provinces has opened the way for a most desperate phase of the liquor traffic known as whisky running. There is some moonshining in the state, but this the state can easily take care of.

During the thirty-two years North Dakota has built up a thorough and even drastic set of laws to deal with the illegal traffic. The 1921 Legislature has passed House Bill No. 5, which brings the state Prohibition law into accord with the Volstead act.

The above legislation was passed by such vote as to show a

very strong sentiment in favor of Prohibition. House Bill No. 5 passed the House by a vote of 100 for, 11 against and 2 not voting; it passed the Senate by a vote of 43 for, 3 against and 3 not voting.

No newspaper of any consequence in North Dakota opposes Prohibition or the enforcement of the law. Thirty three years of experience with Constitutional Prohibition leaves the people thoroughly satisfied with Prohibition. It is a remarkable fact that there are scarcely any infractions of the law by druggists in the handling of alcohol for the excepted uses.

Geographical position, proximity to Saskatchewan, Canada, and good roads made North Dakota the main highway for whisky runners who run whisky from Canada into ten states after the going into effect of the Volstead act. The wholesale houses were just across the line in Canada. The traffic assumed the most wild and lawless condition and outlaws from many states were attracted to the border. Not much of the liquor stopped in North Dakota. The state legislature had not been in session since the 18th Amendment was adopted and North Dakota law did not meet the emergency. Federal officers were not equipped to combat the outlaws and sheriffs were without sufficient force. However, the State, Federal and local officers completely mastered the situation during the season of 1921 and the power of the whisky runners and outlaw gangs were broken. There is very little liquor being run into or across North Dakota at this time.

Investigation indicated that during 1921, there was a decrease of about one-third in illicit distilling in this state. Public sentiment and experience with poison moonshine and efficient work by Federal agents and local officers is gradually and certainly putting the Prohibition law into effect.

The 1921 Legislature also amended and improved the law which provides a state constabulary under the direction of the Attorney General. This department did most effective work in the breaking of the whisky runner gang.

OHIO

Prior to the adoption of state-wide Prohibition, Ohio was under local option, the laws providing for a vote on the liquor question in municipalities, townships and residence districts.

The township local option law was enacted in 1888. Under its provisions 1,277 of the 1,371 townships in the state are dry.

The municipal local option law was enacted in 1902. Under the provisions of this law more than 500 incorporated municipalities and villages are under Prohibition. The residence dis-

strict local option law was enacted in 1906. This law provided for a vote in residence districts of cities. In 1908 this law was amended by providing for a petition instead of election for the ousting of saloons from residence districts of cities. During the first year under the operation of the residence district law residence districts of the largest cities in the state, which districts contained an aggregate population of over 425,000, voted dry.

The county local option law was enacted by the Legislature in 1908. During the first two years of the operation of this county law, 58 of the 88 counties in Ohio voted dry. At the time the law was repealed by the so-called Home Rule constitutional amendment adopted in 1914 there were 45 dry counties in the state.

In 1912 the entire policy of dealing with the liquor traffic was changed. From 1851 to 1912 Ohio was fundamentally a no-license state. The Constitution adopted in 1851 prohibited the licensing of the liquor traffic within the borders of the state. This provision was enacted to prohibit the liquor traffic but it was never really effective, the Legislature and the courts getting around the wording of the constitutional amendment by substituting the tax system for the license system. In 1912, however, the voters of the state adopted a license amendment to the Constitution. While only about 37 per cent of the electors voted for and against this proposition, the amendment was adopted by more than 84,000 majority. This amendment was so worded as to apply to wet territory only, so that none of the old local option laws were invalidated or modified by the amendment.

In 1913 the Legislature enacted a law carrying into effect the provisions of the license amendment. This law limited the number of saloons in wet townships and municipalities to one for each 500 of the population, and provided for revocation of the license on second conviction. The law also prohibited saloons within 300 feet of a schoolhouse, outside of business sections, and prohibited saloonkeepers from selling to minors.

Two constitutional amendments having to do with the liquor problem were presented to the people of Ohio at the general election in the fall of 1914. One of these amendments, presented by the temperance forces, provided for state-wide Prohibition of the liquor traffic; the other, presented by the liquor forces of the state, provided for so-called home rule on the liquor question. The Brewers' Home Rule amendment was so drawn as to repeal the county local option law, as well as to place in the Constitution a provision to prevent the Legislature from adopting other laws to prohibit the traffic, in any units larger than townships and incorporated municipalities.

While the vote in favor of the Prohibition amendment, registered on election day, went over the 500,000 mark, this amendment nevertheless was defeated by a majority of more than 83,000, and the Home Rule amendment was adopted by a majority of 12,000.

The election of November 3, 1914, brought to the voters of Ohio a new problem. There was no reversal of temperance sentiment, but simply an application of sentiment to a new unit of government, viz., the state.

Before the change in the Constitution making direct legislation the policy of Ohio, laws were secured through the General Assembly. Hamilton county, including Cincinnati, would send 12 or 14 members to that body. A county like Medina or Carroll would send one member. Fourteen counties like these would offset the wet vote of Hamilton county to the Legislature. The temperance sentiment in over 60 counties in the state would send men to the General Assembly who voted right on the temperance question. Consequently, local option and temperance laws could be enacted.

The people in a majority of the counties applied these laws. In this way 45 counties were kept in the dry column and a large number of municipalities and townships were made dry, so that a little over 85 per cent of the territory of the state was free from the saloon.

The people of Ohio adopted the initiative and referendum as the policy of government and the state became the legislative unit and the individual voter in a degree took the place of the General Assembly. The liquor interests realized this would give them an advantage in massing the heavy wet vote in the cities against the more sparsely settled districts and smaller cities and villages. The large cities did not have the advantage of the moral uplift which comes from many campaigns on this issue. The townships, villages and smaller cities had gone through these campaigns for more than ten years. The educational effect was good, even in the counties which were unable to abolish the saloon. The large cities had their moral standards steadily pulled down to a lower level by the deadening influence of the liquor traffic.

Before the vote in 1914, counting all the dry territory and a reasonable estimate of the wet territory, Ohio did not have more than 400,000 votes in the state for Prohibition. On November 3, 70 counties out of 88 voted for state Prohibition; 18 counties against it. Seventy-nine counties voted against the Home Rule amendment; nine voted for it. Heretofore 63 counties marked the

high tide of dry sentiment in the state. Basing the estimate on the 1910 census, the 70 counties voting for Prohibition had a population of 2,500,000; the 18 counties voting against Prohibition had but 2,200,000. The 79 counties voting against Home Rule had 3,100,000 people; the nine counties voting for Home Rule had 1,600,000 people.

It is clearly seen from the above that by counties the state was overwhelmingly for Prohibition and against the Home Rule amendment. But when the new policy of government was put in operation, Cincinnati put up 75,000 of a wet majority. Fourteen dry counties could not offset this, as had been done in the Legislature. It required more than 40 dry counties in the state to offset Cincinnati's wet vote, as recorded by an illegal count.

The adoption of the Home Rule amendment in the 1914 election repealed the county option law, and as a result saloons gradually crept back into quite a number of the county seats and cities which had been dry under the county law. The liquor interests expected to open at least 2,000 additional saloons in the dry counties of the state. During the year 1915, however, only about 800 new saloons were put into operation.

The Prohibition forces initiated a second state-wide Prohibition amendment which was voted on at the election in November, 1915. The liquor forces initiated a so-called Stability League amendment. This Stability League amendment provided against the voting on constitutional amendments twice defeated for a period of six years from the date of the adoption of the new Constitution in 1912. The Prohibition amendment was again defeated but the majority against Prohibition was 55,408 as compared with 84,152 in 1914. The brewers' Stability League amendment, moreover, was defeated by a majority of 64,891.

In the 1914 election 70 of the 88 counties voted for Prohibition. In the 1915 election 73 counties voted for Prohibition. Only one license county, Sandusky, increased its anti-Prohibition majority of 1915 over the record of 1914, while 40 no-license counties increased their dry majorities over the record of 1914. In Cuyahoga county, which includes the city of Cleveland, the wet vote decreased 3,172 under the record of 1914, while the dry vote increased 3,264 over the record of 1914. In Hamilton county, which includes the city of Cincinnati, the 1915 record as compared with the record of 1914 shows a decrease in the wet vote of 4,062 and an increase in the dry vote of 3,190. Outside of Hamilton county the state Prohibition amendment swept Ohio by a majority of 13,037.

The third state-wide Prohibition election was held Novem-

ber 6, 1917. The drys polled 522,590 votes, and the wets 523,727. The wet majority was only 1,137 as against 55,408 in 1915.

In the 1917 election, the drys carried 76 of the 88 counties. They carried the capital city of Columbus, and such industrial centers as Akron, Youngstown, Canton and Lima. Outside of Hamilton county, the state went dry by more than 55,000 majority. A feature of the 1917 election was the big decrease in the wet vote of Cincinnati and the corresponding increase in the dry vote. The same thing was true of the other wet centers of the state. The election was lost to the drys by reason of the stay-at-home dry vote in many of the rural counties.

A constitutional amendment providing for state-wide Prohibition was adopted by a vote of the people on November 5, 1918. The result of the vote was: For Prohibition, 463,654; against Prohibition, 437,895; dry majority, 25,759. Of the 88 counties in the state, all but nine gave dry majorities.

The state dry amendment became operative on the 27th of May, 1919. The liquor interests petitioned for an amendment for the repeal of the state-wide Prohibition amendment, and the proposition was voted on November 4, 1919. The voters affirmed their position of the year previous and gave a majority of 41,853 against repeal. At this election the drys cast 496,786 votes and the wets 454,933 votes.

At the November election in 1919, Ohio also defeated an amendment initiated by the wets providing for the manufacture and sale of 2.75 per cent liquor. The majority against this proposition was 29,781. On this proposal the drys cast 504,688 votes and the wets 474,907.

The 1919 session of the Ohio Legislature passed a law providing for the enforcement of the state-wide Prohibition amendment, but failed to attach to it an emergency clause. Under the provisions of the initiative and referendum law of the state, this suspends the operation of the law for 90 days, unless a sufficient number of signatures to a petition for a referendum is secured. The wets petitioned for such a referendum and the voters passed on the law at the election in November, 1919, and refused to sustain the Legislature in enacting the measure. The majority against the law was 26,734. On this proposition the wets cast 500,812 votes and the drys 474,078 votes.

The Ohio Legislature ratified the National Prohibition Amendment, both houses taking action January 7, 1919. In the Senate the vote was 20 to 12, and in the House 85 to 30. Ohio was the seventeenth state to ratify.

At the meeting of the Legislature, January, 1920, a law was

enacted for the enforcement of the state-wide Prohibition Amendment. This measure received 91 votes in the lower house to 23 against. In the Senate the vote was 25 for the measure and 7 against. The wets brought a referendum on this enforcement law, and the voters ratified the measure by a vote of 1,062,474 to 772,329 against, a victory for dry law enforcement by a majority of 290,149. This was the first general election at which the women voted after being enfranchised by the Nineteenth Amendment to the Federal Constitution.

The Legislature which met in January, 1921, enacted several laws for the better enforcement of Prohibition. The most important was a law establishing a State Bureau of Enforcement. Under this act there was appointed a Commissioner of Prohibition, together with a deputy commissioner, and not to exceed twenty regular inspectors. The law also provides for appointment of other inspectors as emergency men. This enforcement Bureau is active in running down liquor law violators, and also in placing those convicted of keeping a place where liquor is sold in violation of law on the duplicate for the Aikin tax of \$1,000 with penalties. This tax is separate and apart from whatever fine may be assessed by the courts. In the first six months of the operation of this bureau, sufficient fines were paid into the State Treasury to bear the expenses of the department for two years. Under the law one-half the fines collected go to the state and the other to local subdivisions.

Another law enacted by the Legislature provides that the judge, or judges, may authorize the expenditure of additional funds by the prosecuting attorney for the promotion of the administration of justice, such funds not to be in excess of \$10,000 in any one year.

Another law gives justices of the peace jurisdiction co-extensive with the county when affidavits are filed charging violation of the dry law. This measure also gives the probate and common pleas judges authority to issue search warrants.

What is known as the McCoy law passed by the Legislature in the spring of 1921 prohibits the prescribing of beer by physicians for medicinal use.

The Boylan measure, also passed at the same session of the Legislature, is aiding in the enforcement of the dry law by permitting the seizure and sale of conveyances unlawfully transporting intoxicating liquor.

Another law enacted in 1921 is known as the Norwood law, and provides that any person found in a state of intoxication shall be fined not less than \$5, nor more than \$100. Under the

old statutes of the state, the fine for intoxication was fixed at \$5.

Yet another law enacted in the furtherance of the enforcement of Prohibition is known as the Bender act, and prohibits the obstruction of the view of the interior of pool rooms, billiard parlors, and soft drink places, by screens, frosted windows, or anything else that may obscure the interior of the building from those who pass by on the street.

Another law enacted at the same session provides that whoever unlawfully sells, furnishes, or gives away wood alcohol, or any preparation or compound containing wood alcohol, to be used for beverage purposes, and death results therefrom, shall be guilty of murder.

In the first ten months of the operation of the law creating a state department for the enforcement of Prohibition, a quarter of a million dollars was paid into the office of the Auditor of State, as the state's share of fines assessed and collected from violators of the dry law. An equal amount was paid into the treasuries of local political subdivisions where convictions were secured on this charge. These large sums do not include fines assessed and collected in a number of cities and towns which have ordinances providing that all fines be paid into local treasuries.

At the Ohio primary in 1922 both dominant parties nominated dry men for Governor pledged to law-enforcement.

The Republicans nominated C. C. Crabbe, author of the Enforcement Law, for Attorney General.

All Congressmen who voted for the Volstead Law were re-nominated.

The candidate for Governor on the Light Wine and Beer platform was overwhelmingly defeated. He received 50,000 out of 500,000 votes cast, one vote in ten. The nominations by both parties generally were satisfactory on the dry question.

OKLAHOMA

Oklahoma is under both National and State Constitutional Prohibition. The prohibitory amendment to the state Constitution was adopted by a vote of the people on September 17, 1907, at the same election at which the state voted to come into the Union, and went into effect throughout the state on November 16, 1907. The amendment was adopted by a majority of 18,103 out of a total vote of 242,619.

In 1910 the liquor forces initiated a license amendment to the Constitution in an effort to repeal Prohibition. The people voted on this question November 8, 1910, with the result that the liquor

amendment was defeated by a majority of 21,077 out of a total vote of 231,159.

In 1915 three members of the House of Representatives introduced a resolution proposing resubmission of the Prohibition question. This resolution was defeated by a vote of 66 to 4.

At the 1917 session of the Legislature a law was enacted which lodges in the Supreme Court of the state original jurisdiction to try cases for the removal of officers for failing, neglecting or refusing to enforce the laws of the state, especially the Prohibition and anti-gambling laws.

The 1917 session of the Legislature also enacted a "bone-dry" law by a vote of 33 to 5 in the Senate and a vote of 89 to 7 in the House.

In the Sixty-Fourth Congress the two United States Senators from Oklahoma and the eight Representatives in Congress from Oklahoma stood solidly for Prohibition in the District of Columbia, the anti-liquor advertising law, and the "bone-dry" amendment, as well as for Prohibition for Alaska.

In the Sixty-Fifth Congress the two United States Senators from Oklahoma and the eight Representatives in Congress from the state stood solidly for submission of the prohibitory amendment to the Federal Constitution.

In the Sixty-Sixth Congress the United States Senators and the Representatives from Oklahoma unanimously supported the Volstead National Prohibition enforcement law, even over the veto of the President of the United States, thus continuing the splendid record of Oklahoma in the United States Congress in support of Prohibition measures.

The 1919 session of the Legislature convened at 12 o'clock noon on Tuesday, January 7.

At 1:45 p. m. unanimous consent was asked to introduce Senate Concurrent Resolution No. 2 for the ratification of the national Prohibition constitutional amendment. The same was granted, the resolution read and roll call had, which resulted in 43 votes for the resolution and none against it. One senator was absent on account of sickness in his home, but appeared in the Senate on the third legislative day. He asked unanimous consent to have the journal show that had he been present on January 7 his vote would have been in the affirmative for Senate Concurrent Resolution No. 2.

The resolution was transmitted to the House of Representatives immediately and roll call had, 90 members voting in the affirmative, 8 in the negative, with 6 members absent. Oklahoma thus became the eighteenth state to ratify.

In the Legislature of 1921, the House of Representatives passed a bill prohibiting the manufacture, sale and possession of a still, by a vote of 63 to 12, with 17 members recorded as absent. The same bill was passed by the Senate by a vote of 26 to 10, with 8 members absent.

In the 67th Congress the Senators and Representatives from Oklahoma supported the Anti-Beer law and other measures backed by the Anti-Saloon League.

OREGON

Prior to the adoption of Prohibition, Oregon had been under various forms of local option. County option was in effect up until November, 1910, and under the provisions of this county law 23 counties of the state had voted dry. In 1910, however, an amendment to the Constitution was adopted which exempted cities from the operation of the county option law. As a result the saloons came back into all but four counties of the state.

The state-wide Prohibition vote in 1910 resulted in a wet majority of 17,574.

In 1913 the Legislature passed a law prohibiting the licensing of saloons outside the municipalities. The operation of this law resulted in the closing of 40 saloons.

The state constitutional Prohibition of the manufacture and sale was adopted by a vote of the people on November 3, 1914, by a majority of 36,480 votes. Prohibition of the importation was added November 7, 1916, by a majority vote of the people of 5,261. On the same date (November 7, 1916) the people, by a majority of 54,626, defeated an amendment to permit breweries to manufacture and sell and deliver such an amount (24 quarts of beer) as any one family was then permitted by law to import within the period of four successive weeks.

Nearly 1,000 saloons and 18 breweries were closed by the Prohibition victory in 1914. State Prohibition went into effect January 1, 1916.

The legislative session of 1915 passed the Anderson law, providing for enforcement of the Prohibition of the manufacture and sale of intoxicating liquors. The legislative session of 1917 amended this law so as to provide for the enforcement of the additional constitutional Prohibition against importation for beverage purposes. The law allows the importation of alcohol for mechanical, scientific, medicinal, manufacturing and artistic purposes, and of wine for sacramental use.

Oregon was the thirty-first state to ratify the National Pro-

hibition Amendment to the constitution of the United States, the vote being 30 to 0 in the Senate on January 15, 1919, and 53 to 3 in the House on January 14.

After the Legislature had ratified the Eighteenth Amendment an attempt was made to submit the question to a vote of the people under the referendum provision of the state Constitution. The Supreme Court by a unanimous opinion held that inasmuch as the ratification was by a joint resolution and as it was neither a bill nor an act, it was not subject to the referendum under the state Constitution.

PENNSYLVANIA

The Brooks High License law under which the liquor traffic in Pennsylvania was regulated, prior to the going into effect of National Prohibition, became operative in the year 1887 and continued in operation without substantial modification, until the close of the Legislature in April, 1921.

The rum business got a flying start in the state of Pennsylvania. The earliest settlement was made by the Swedes about 1638 near the present site of Chester. They were conquered by the Dutch under Peter Stuyvesant in September, 1655. At that time there were already ordinances in force against selling drink to the Indians and against drinking on the Sabbath day. In that same year Pennsylvania's first liquor revenue law was enacted, and the license system has prevailed in the commonwealth to this day.

As early as 1690 the law began to shape up so as to make the granting of license the work of the court. That custom was soon established and has never been changed.

The Legislature in 1778 passed a law forbidding the use of grains and foodstuffs in the manufacture of liquor. This followed as a result of the starvation of Revolutionary soldiers at Valley Forge. It was in effect for one year.

During the nineteenth century there were periodical uprisings against the business, but none of them were well organized and capable of sustained effort. In 1854 there was a state-wide vote on the question. Prohibition was lost by a majority of only 5,000 in a total vote of over 300,000, but this near-victory was not followed up.

In 1872 a county option law was secured and nearly two score counties were voted dry, but a reaction inside of three years speedily swept the law from the books.

In the later eighties the tide rose again, but the temperance

forces sustained an overwhelming defeat in the vote on Prohibition in 1889. Two years previous to that the Brooks high license law had been enacted.

The organized liquor traffic reached the high tide of its power and insolence during the first decade of the twentieth century. During that decade the Anti-Saloon League got its organization under headway and by 1910 became a formidable factor in the election of a governor when Hon. William H. Berry, on an independent ticket and a local option platform, polled nearly 400,000 votes.

The battle line from 1907 until 1917 was drawn on the issue of local option. But in the election of Congressmen the larger issue of National Prohibition began to loom. In 1908 the only Congressman who openly advocated National Prohibition was defeated after a bitter fight with the brewers. This pioneer was Hon. Ernest F. Acheson of Washington county. However, when the Hobson amendment was up in 1914 Pennsylvania turned in 19 favorable votes. A determined onslaught was made against these men by the combined liquor forces of the state, but so well did the line hold that there were 18 votes for the Sheppard amendment in 1917.

The big political fight in 1918 was on the question of ratification, with Hon. William C. Sproul, the Republican candidate, committed to it, and Judge Bonniwell, the Democratic candidate, against it. Sproul won out by a vote of two to one. The ratification resolution came before the Legislature in due time. The House ratified it by a vote of 110 to 93 on February 4, 1919. The Senate completed the action on February 25, by a vote of 29 to 16.

When war-time Prohibition became effective July 1, 1919, approximately 10,700 saloons and 1,750 wholesale places were closed. Capital amounting to over \$100,000,000 was turned into other channels. Formerly the state, county and municipal treasuries received annually in revenue from the liquor business close to \$6,500,000.

Previous to the election of the Legislature which sat in the early months of 1921, the Anti-Saloon League carried on a vigorous campaign in favor of the absolute repeal of all license laws and the enactment of a code in full harmony with the Volstead act. When the Legislature met, however, Governor Sproul recommended that the Brooks law be amended instead of repealed and the license feature retained in so far as it had to do with drinks containing alcohol of less than one-half of 1 per cent by volume.

The Anti-Saloon League contended against the Governor's position and secured the introduction of a bill more in harmony

with the spirit of the Eighteenth Amendment. This bill was sponsored by Hon. Wm. H. Martin of Allegheny county. In addition to repealing the license law it provided for search and seizure as well as other strong features of the Federal Code. The League immediately put on a state-wide campaign of agitation for this bill. The organized liquor interests of the state fought vigorously against it. The Governor gave his word that he would sign the bill if it passed, but he refrained from using any influence to secure votes for it. Under these handicaps the bill was doomed to failure and lacked five votes of enough to pass the House of Representatives.

A bill was then introduced at the instance of the Governor by Hon. George I. Woner. It provided for enforcement of the law by local officials, but retained the license system for regulating the sale of near beer.

The Anti-Saloon League and other temperance organizations believe that this law is not in harmony with the Eighteenth Amendment and does not carry out the intentions of the people when they adopted that amendment. It will be the policy of the League to get all possible good out of the law while at the same time shaping its campaign towards the ultimate repeal of the license feature of the law.

The enemies of Prohibition have done much talking within the last three years about how the eighteenth amendment was put over by its friends in a stealthy manner while millions of boys were on the other side fighting for their country. In Pennsylvania they point to the fact that they have had no opportunity to vote directly on this question.

Friends of Prohibition have made answer to this argument in two ways. In the first place there was a long war, covering possibly fifteen years, prior to the adoption of the eighteenth amendment, during which time the dry forces made repeated efforts to secure the privilege of the people to vote upon this question by means of a local option referendum. This privilege was persistently denied by the liquor powers in control of the legislature.

Now that Prohibition is in the national constitution it would be useless to vote on the question of whether or not it has any business there. Friends of Prohibition have therefore suggested to their enemies that they can give expression to their sentiment thru the character of men nominated for public office.

In Pennsylvania the Republican party is so overwhelmingly dominant that the nomination is equivalent to an election, except in about one-sixth of the Congressional districts and about one-

tenth of the Legislative districts. In consequence, the important decisions are made at the primary election rather than at the polls in November.

The primary election which occurred May 16, 1922, was a red-letter day in the Prohibition movement.

The foes of Prohibition put up their strongest candidates and waged the hardest contest of which they were capable. But when the smoke of battle cleared away they found they had gained nothing. On the other hand the Prohibition forces had made decisive gains all along the line.

Neither party could have found in its ranks a man for the governorship more acceptable to the forces battling for Prohibition than are the two men who have been named. Gifford Pinchot, Republican, and John A. McSparran, Democrat, have for many years been outstanding exponents of the Prohibition idea. Mr. McSparran was formerly and Mr. Pinchot is at present a member of the State Board of Trustees of the Anti-Saloon League, and both are men of such sterling integrity and such deep conviction on this question that the election of either one will mean a great forward step for law enforcement.

For the Lieutenant Governorship of the State and for the two seats in the United States Senate the people have spoken in no uncertain voice.

With reference to the National Congress both parties have nominated more dry men than ever before.

The wine and beer advocates can get no consolation from the returns on the State Legislature. The dry forces made emphatic gains in both parties and there seems no doubt at this writing that the friends of enforcement will have a decisive working majority both in the Senate and in the House.

More than a million Pennsylvania voters went to the primary election and in the marking of their ballots spoke a language which cannot be misunderstood. Translated and interpreted here is what they meant: "We want Prohibition retained and we demand the fullest possible enforcement of the law against the moonshiner and the bootlegger."

The Woner Law has been in operation one year and is almost universally pronounced a failure. The judges in more than half the counties of the State have refused to grant any licenses whatsoever under this law. In Lackawanna County eight hundred applications were refused without any statement from the bench. It is commonly believed that the real motive back of these refusals on the part of the court was the scandalous manner

in which the average saloon man had used his license as a cloak under which to violate the law.

In Philadelphia more than twelve hundred saloons have been operating under the Woner Act. Over two hundred of their proprietors have been indicted already for violating the law. It is the testimony of Federal agents working in the city that there is scarcely a licensed dealer who does not use his license as a protection under which he violates the law.

In the pre-amendment days the advocates of the liquor business frequently asked the question: "What will we do with our breweries and distilleries if Prohibition comes to pass?" In many sections of Pennsylvania that question has been answered in a very interesting way.

In Fayette County the Fayette brewery has been converted into an electric light plant. Another brewery in the same county has been converted into a wholesale grocery establishment.

In Armstrong County the Elk brewery has been converted into a blanket factory.

The Pottstown brewery in Montgomery county has been converted into a wholesale grocery establishment.

The Independent brewery at Charleroi, Washington county, has been converted into an ice cream factory, with a capacity of three thousand gallons per day.

Soon after the advent of Prohibition a large brewery in Johnstown was converted into a packing house and is doing an extensive business, employing several times as many people as in the olden days.

The Highspire distillery in Dauphin county has been converted into a stocking factory and is giving employment to more than four times as many persons as were formerly employed by the distillery.

The above are but a few of the changes already wrought by Prohibition. Most of the breweries have remained intact in order to produce near-beer.

When our present saloon system shall have been wiped out of existence, there will be little further demand for the continuance of these establishments in their present capacity.

The effort to enforce the eighteenth amendment has been confronted with many serious handicaps during the year. To begin with, the legislatures of 1919 and 1921 both refused to pass enforcement codes in harmony with federal legislation. In lieu of this the session of 1921 enacted the Woner Law referred to above. In spite of the fact that that law has no search and seizure provision and encourages bootlegging by reason of this

license provision, yet in quite a number of counties, gratifying results have been obtained under its application. The fidelity of public officials and the state of public opinion have been chief factors in making it possible to advance in some counties. In Butler County, prosecuting Attorney Campbell secured seventy-nine convictions out of the first eighty-five cases brought.

In Fayette County the committee of 1,000 has been persistent in its prosecution of violators and has secured over one hundred convictions, some of them men of wealth and influence. The results have been highly satisfactory. In the primary election the Prohibition forces captured with ease the senatorship and the four members of the House. In the previous legislature the senator and three of the four members opposed enforcement legislation. Fayette seems to like Prohibition.

On the first of July, 1921 a former state senator was appointed federal Prohibition director. Late in October the Washington authorities found it necessary to take charge of the situation, owing to the scandals which had developed in the brief period of his incumbency. Later he resigned his office and has since been indicted by the grand jury for conspiracy against the government. Several of his assistants and a group of bootleggers have been jointly indicted with him. All are under heavy bond and at this writing awaiting trial.

Notwithstanding the handicaps under which Prohibition is now being tried out, it has already wrought such change as to commend it to a majority of the people of the state, to which fact the result of the primary election is sufficient witness.

RHODE ISLAND

Prior to the going into effect of National Prohibition, Rhode Island was under local option. The law required a vote on the liquor question in each town every two years.

Rhode Island was among the first states to adopt a local option provision in the battle against the use of intoxicating drinks. In 1838 the first local option law was passed, giving to the towns the right to prohibit the manufacture and sale of intoxicants. Under this law certain town councils refused to license at all and the famous "license cases" which went to the United States Supreme Court grew out of this refusal. In July, 1852, the so-called Maine law went into effect and was not changed to a license law until 1863. It was strengthened in 1857 by a "Nuisance Act." In 1872 the "Ohio Civil Damage law" was passed. In 1874 another prohibitory law was passed, but the next year the license

law was re-adopted. In 1886 the last effort of that first generation of fighters was made and a constitutional amendment was passed and endorsed by popular vote. But again the influx of immigrants who were accustomed to use intoxicants supplied the voters, who repealed the amendment in 1889.

At the 1919 session of the Rhode Island Legislature the question of ratification of the prohibitory amendment to the federal constitution was considered, but the Senate, by a vote of 25 to 12, decided to postpone indefinitely the consideration of the resolution. When the question of ratification came up in the previous session of the Legislature, the Senate, by a vote of 20 to 18, on March 2, 1918, decided to postpone indefinitely consideration of the ratification resolution.

The Legislature of 1919 passed the "Saugy act," or what is more familiarly known as the "Four Per Cent Beer bill," which defines liquors containing more than 1 per cent and not more than 4 per cent of alcohol by weight as legally non-intoxicating and provides for a complete saloon system for the handling of these legally non-intoxicating beverages.

This act became inoperative by the Federal Supreme Court decisions of June, 1920.

The Legislature of 1922 passed a Prohibition Enforcement Act, known as the Sherwood Act, by an overwhelming majority in both houses. The bill was introduced in the Senate by Herbert A. Sherwood. It was signed by Governor Emery J. San Souci on May 3, but had actually become law by expiration of time on May 1.

SOUTH CAROLINA

Prior to the adoption of Prohibition the state of South Carolina was under county local option and the dispensary system. The law provided for a vote in each county on the question as to whether the county would operate under the dispensary system or under county Prohibition. Under this law, 16 counties of the state were operating dispensaries when Prohibition was adopted. The other counties of the state were all under Prohibition.

The state-wide prohibitory law submitted to the voters under the referendum, was adopted on Sept. 14, 1915, by a majority of 24,926 out of a total vote of 58,544. This law went into operation January 1, 1916.

The sale of liquor has in reality been prohibited in the state of South Carolina since 1892 except as sales were made by the

state or county governments through the dispensary until the state-wide prohibitory law went into effect. Under the state-wide law no alcoholic beverage may be sold within the state. The original law permitted the importation, to individuals, of a gallon a month, but the Legislature of 1917 reduced the quantity to one quart. The 1917 Legislature also passed an anti-liquor advertising bill.

In 1918 a law was enacted which allows the possession of only one quart on permit from the judge of probate, issued on filing personally by applicant an affidavit that the whisky is for medicine, and the judge of probate must be satisfied as to the truth of the statement.

South Carolina was the fourth state in the Union to ratify the prohibitory amendment to the Federal Constitution. The resolution for ratification was passed by a vote of 28 to 6 in the Senate, on January 18, 1918, and by a vote of 66 to 29 in the House on January 23, 1918.

SOUTH DAKOTA

Prior to the adoption of state-wide Prohibition South Dakota had been under a peculiar form of local option. All territory in the state was presumed to be dry until voted wet. Under the provisions of this law a vote could be had in any municipality as often as once each year in order to determine whether or not the sale of liquor should be permitted. If at any such election a majority of the vote cast was in favor of the sale of intoxicating liquor, saloons might be permitted for one year, but at the end of the year the municipality or township automatically went back into the Prohibition column unless a new election was held and a majority vote was cast in favor of saloons for another year.

In November, 1914, the people voted on a measure initiated through the efforts of the United Brewers' Association, which measure was drawn for the purpose of reversing the method of local option in South Dakota by requiring that when a town voted for saloons it might continue wet until the temperance people brought on another election. This measure was defeated by an overwhelming majority.

The prohibitory amendment to the state Constitution was submitted to a popular vote on November 7, 1916, and adopted by a majority of 11,505. Sixty-four thousand eight hundred and sixty-seven votes were cast in favor of the amendment and 53,362 votes were cast against the amendment. The law became operative July 1, 1917.

On February 21, 1917, the Legislature passed a Prohibition law providing for carrying the amendment into effect. The law passed the House of Representatives by a vote of 88 to 10 and the State Senate by a vote of 41 to 4.

Under the old law, which continued to operate until July, 1917, the number of saloons was limited to one for each 600 of the population. The railroads issued orders discontinuing the sale of intoxicating liquors on all trains within the state. Before Prohibition went into effect more than 400 towns in South Dakota were under no-license while 92 granted licenses. There were approximately 275 saloons operating in the state.

Governor Peter Norbeck called the Legislature of South Dakota in special session and on March 20, 1918, both houses ratified the prohibitory amendment to the Federal Constitution **unanimously**, a record which cannot be excelled. The entire congressional delegation from the state also voted for the submission of the amendment. South Dakota was the tenth state to ratify.

The 1919 Legislature by almost unanimous vote passed amendments to the prohibitory law making the law absolutely bone dry. These amendments were referred to a vote of the people at the November election in 1920 and defeated by a vote of 11,998.

At the 1921 session of the Legislature the most important provisions of this referred law were incorporated in bills submitted to the Legislature and passed with the emergency clause.

The first measure creates a commission composed of the State Food and Drug Commissioner, the State Sheriff, and the State Chairman of the Board of Pharmacy, who are authorized to examine and analyze alleged medicines, extracts, tinctures, and other alcoholic preparations, and to publish a list of such as are not in fact medicines, extracts, etc., or are used for beverage purposes. After such publication it shall be unlawful to manufacture, import, sell or keep for sale any such preparations. The second law regulates the sale, purchase and transportation of fermented wine for sacramental purposes, providing that on securing a permit from the state sheriff, any minister may purchase not more than twelve gallons in any one calendar year from any wholesale or retail druggist within the state authorized to sell it, or from dealers outside of the state. Transportation of sacramental wine is made legal only when the container bears the permit issued by the state sheriff. The third measure relieves the retail druggists from making monthly reports to the state sheriff if they do not handle alcoholic liquors, and also provides that retail druggists holding permits to purchase alcoholic liquors issued by the U. S.

Commissioner of Internal Revenue, may upon filing a certified copy of the permit with the state sheriff, receive a permit authorizing them to sell within the state for not to exceed 90 days. The fourth law provides the state sheriff with an official seal.

Three wet bills were introduced, one providing for a constitutional amendment repealing the present Prohibition Amendment; another repealing the state sheriff law, which would make enforcement of Prohibition impossible; and a "moral permit" system which would permit unlimited sale of intoxicating liquor in original packages by druggists and grocers. Any person who had not been convicted of being "immoral" could sell or buy intoxicating liquor in unlimited quantities. The Legislature refused to pass these bills, and the wets then initiated them. Again the Legislature refused to submit the constitutional amendment and "moral permit" bills, but did refer the repeal of the state sheriff law to a vote of the people at the November election, 1922.

TENNESSEE

Prior to 1909, Tennessee was under the provisions of the so-called Four Mile Law which prohibited the location of saloons within four miles of a schoolhouse, except in certain cities of the state. In 1909 the Legislature passed a law extending the provisions of the Four Mile law to all cities. This law went into effect on July 1, 1909 and resulted in the closing of the saloons in the cities of Nashville, Chattanooga, Memphis, and two smaller cities. By the provisions of this law, 800 saloons were closed in five cities. The practical effect of the operation of this law was to secure Prohibition against the sale of intoxicating liquors throughout the state.

The Legislature of 1909 also passed a law prohibiting the manufacture of intoxicating liquors within the state's borders. For many years, however, very little attempt was made by the officials to enforce this Prohibition law of 1909 in the larger cities.

In 1913 the Legislature enacted a nuisance law which was enforced with a large degree of success by state authorities, municipal authorities not giving much assistance. In 1915 the Ouster law was enacted, under the provisions of which a number of faithless municipal and county officials were removed, resulting in a general toning-up of liquor law enforcement.

The Legislature of 1917 enacted the following laws: The storage bill, which abolished the mail order houses July 1, 1917; the bone dry and anti-shipping law which went into effect

March 1, 1917; an anti-club law which took effect immediately after its passage; a bill making bootlegging a felony, which took effect immediately after its passage; the Legislature of 1917 also passed a stringent drug store bill. An anti-advertising measure and a bill to make the manufacture of intoxicating liquors a felony were crowded off the calendar on the last day of legislation.

Tennessee was the twenty-third state to ratify the National Prohibition Amendment to the federal constitution, the vote being 23 to 2 in the State Senate, on January 9, 1919, and 82 to 2 in the House, on January 13.

The 1919 session of the Legislature also passed a law requiring the destruction of all seized contraband liquors under the direction of the judge of the circuit and criminal courts.

The 1921 session of the Legislature passed a law raising the minimum fine for all violations of the Prohibition laws from \$25 to \$100.

TEXAS

The first liquor law in Texas was enacted in 1837 by the Congress of the Republic. It was merely a tax upon liquor merchants the same as on other merchants. Three years later, in 1840, the Congress of the Republic of Texas imposed a license of \$250 upon the liquor seller and put him under a \$2,500 bond.

The early Texas Prohibitionists were free in the use of literature. Beginning in 1870 sixteen different temperance newspapers have been established only to fail for lack of financial support, leaving only the Home and State, the present organ of the Anti-Saloon League, and the White Ribbon, organ of the Women's Christian Temperance Union, in the field.

After becoming a part of the United States, Texas' first attempt to suppress the liquor traffic was during the legislature of 1854. A law was passed providing that dram shops selling in quantities of less than one quart should all be closed except where a county election cast a majority vote for them. Governor E. M. Pease ordered the election held but did not require a report. Of the 41 counties that did report, 35 voted dry, that is, to have nothing except those houses that sold in quantities of one quart or more. Before the effects of this election could be carried out the liquor interests took the law to the court (State vs. Swisher; 17 Texas 441). Pending the final termination of the case the law was not enforced and was repealed in 1856. The liquor interests began a stiff fight against the increasing temperance sentiment. Candidates were elected to the Legislature on the platform "More whisky and better whisky" over abler opponents who were dry.

When the Quart law was repealed the temperance forces continued to fight the saloons by local option elections. They would call an election in a community; if they received a majority vote, they would take this vote to the next session of the Legislature and get them to pass a bill declaring that community dry. In this way during the years 1854 to 1875 about 150 communities enacted such local Prohibition laws. Among them were the pioneer communities of Dallas and Fort Worth.

In 1854 Dr. James Younge brought to Texas the United Friends of Temperance and in 1869 removed to Texas where he lived for eighteen years. This became a strong temperance organization and sought to obtain a constitutional amendment to put Texas dry in the year 1881 and was defeated by the abundance of money spent with the legislature by the liquor interests.

Dr. B. T. Kavanaugh was the first State President of this organization and Dr. R. C. Burleson, President of Waco University; Dr. Wm. C. Crane, President of Baylor University at Independence, Texas, were officers. Two members of the present Board of Managers of the Anti-Saloon League of Texas, Judge Jno. T. Duncan and Judge T. S. Henderson, are alumni of these schools.

The direct result of the work of the United Friends of Temperance was the State-wide Prohibition campaign in 1887 in which Dr. E. H. Carroll, Dr. J. B. Cranfill, Dr. W. K. Homan, United States Senator Bell Maxey and John H. Reagan, Congressman D. B. Culberson, father of the present State Senator Culberson; Hon. Jos. W. Bailey, later United States Senator and many others led the dry fight. After a hard campaign in which much bitterness prevailed, the amendment was defeated by 91,000. The reaction from this defeat killed the United Friends of Temperance organization.

Through the persistent labors of Col. E. L. Dohoney of Paris, aided by Judge Reagan, Governor Stockdale and others, a local option clause was written into the Constitution in 1876, which is the present constitution. Under the provisions of this law and the leadership of able and fearless Prohibitionists, including Col. Dohoney, Dr. J. B. Gambrell, Dr. J. B. Cranfill, Dr. Geo. C. Rankin and Prof. H. A. Ivey, a member of the present Board of Managers of the Anti-Saloon League of Texas, precincts and counties went dry in rapid succession, till in 1911 there were 164 dry counties; 121 wet counties and 60 partly dry counties. During this year another campaign for a dry amendment to the Constitution was waged and lost by only 6,000 votes. On May

9, 1882 Miss Frances Willard organized the first Woman's Christian Temperance Union in Texas in the parlors of Col. Dohoney's home, every church in the city of Paris having refused to open its door. A State W. C. T. U. was organized in the spring of 1883. The most distinguished worker of the W. C. T. U. in Texas was Mrs. Nannie Webb Curtis, for years the State President and one of the greatest orators in the Nation.

Under the leadership of Col. Dohoney, the Prohibition party was organized in 1886.

On November 25, 1903, a State local option organization was formed under the leadership of Judge C. H. Jenkin, Mr. R. C. Dial, Prof. H. A. Ivey; Dr. Geo. C. Rankin and others. Its purpose was through an organized cooperation to seek to put as much of the State dry as possible by election in precincts and counties under the provision of the constitution. Without funds and with very slight organization it accomplished a great work in driving back the wavering lines of the liquor traffic and was finally merged into the Anti-Saloon League.

An effort was made in 1902 to introduce the Anti-Saloon League into Texas but without success. In 1907 it again entered the State with B. F. Riley, Superintendent with headquarters at Dallas. The Anti-Saloon League immediately launched a campaign for State-wide Prohibition. Dr. Riley resigned toward the close of 1908 and was succeeded by Sterling P. Strong, who resigned April 1910. Dr. J. H. Gambrell was elected to succeed Mr. Strong who, in turn, resigned in February 1915. Dr. A. J. Barton was elected to succeed Dr. Gambrell and resigned October 1, 1918, being succeeded by the present Superintendent, Rev. Atticus Webb. In addition to these State Superintendents, Dr. Jesse P. Sewell, who is a member of the National Board of Directors and also a member of the Board of Managers; Dr. Geo. C. Rankin, Dr. J. B. Gambrell, Dr. H. A. Boaz, now Bishop Boaz, Hon. Geo. W. Carroll, now member of the Board of Managers, and many others have rendered most efficient service. In March 1918 a State-wide statutory Prohibition law was passed by the legislature and became effective June 26, 1918. The provision of this law relating to the sale of intoxicating liquors was declared unconstitutional by the Court of Criminal Appeals in October 1918, but the same bill had clauses forbidding the manufacture and transportation of intoxicating liquors and providing also that if one clause should be declared unconstitutional it should not affect the other clauses. On the strength of this the

Attorney General's Department sought and obtained injunctions closing up every saloon that attempted to open.

Prior to the passage of the State statutory Prohibition law and during the period when hundreds of thousands of soldiers were being trained for war service over seas, a zone law was passed closing every saloon within a radius of ten miles of any army camp where soldiers were being trained. This closed the saloons in every city of the state and left few in operation. At the time that State-wide Prohibition was adopted 201 out of the 254 counties of the State were dry by local option elections. Only 10 counties were entirely wet while 43 counties were partly dry.

Texas was the eighth State to ratify the prohibitory amendment to the Federal Constitution by a vote of 15 to 7 in the Senate and 72 to 30 in the House early in 1918.

On May 24, 1919, under the leadership of the Anti-Saloon League of Texas, the State adopted an amendment to its Constitution providing for the suppression of the liquor traffic by a majority of about 25,000. In July 1919 the Legislature passed and on July 30 the Governor approved the Dean act which provided for the enforcement of the State amendments as well as the 18th Amendment to the Federal Constitution. It largely parallels the Federal law but makes the minimum percentage of alcohol one per cent and carries with it only a penitentiary sentence as a penalty. In August 1921 an amendment to this act was passed strengthening it in some respects and weakening it in some other features.

During the campaign of 1920 a vigorous fight was made to regain control of the State by the liquor interests who had as their leader Former Senator Jos. W. Bailey, candidate for Governor. The Anti-Saloon League led in the fight for the defeat of Senator Bailey. The result of the election gave the State Hon. Pat M. Neff as Governor, a life long Prohibitionist.

Under the call of the Anti-Saloon League of Texas a State-wide convention was held in Fort Worth January 16 and 17, 1922, and a legislative program was outlined for the next session of the Legislature. Among other things this program includes: laws making it an offense to possess liquor or stills or the equipments for making liquor; adequate appropriations for the enforcement of the law; a modification in penalties providing for a fine as well as a penitentiary sentence and a provision for the removal of those officers who will not enforce the Prohibition laws.

UTAH

Prior to the adoption of the state-wide Prohibition amendment Utah was under local option. This local option law provided for a vote on the liquor question in each village and city and in county units on petition of 25 per cent of the voters who voted at the last general election, all territory outside of incorporated villages and cities being under Prohibition by state law, unless voted wet under the county option law. On June 27, 1911, local option elections were held in 110 cities and towns in the state. Salt Lake City and Ogden, together with 21 other incorporated municipalities, voted wet, while 87 towns and cities voted dry. The vote in Salt Lake City was 14,008 for saloons and 9,328 against saloons. The saloon forces won out in the city of Ogden by a majority of 1,652. Taking the vote in the entire state the aggregate dry majority was 7,000.

As a result of the elections of 1911, 101 saloons were swept out of existence, leaving only 235 saloons operating in the state. Of this number 141 were in Salt Lake City, 32 in Ogden and the remaining 62 were scattered throughout the state.

In the elections of 1913 very few changes were made as a result of the election, except that in a number of cases dry majorities were increased and a few more municipalities voted for Prohibition.

In the elections held on petition of the pro-liquor forces in dry towns in June, 1915, the Prohibition forces increased their majorities materially throughout the state. The Prohibition majority for instance in the city of Provo was increased from 230 to 650. In the city of Logan it was increased from 500 to 1,200. The strong license cities and towns of the state did not vote in the June elections.

The Legislature of 1915 enacted a strong Prohibition bill. In the House of Representatives there were only five votes against the measure and only two adverse votes were registered in the Senate. The sentiment for the bill was so strong that the Legislature could easily have passed the bill over the veto of the Governor. Realizing this fact, Governor Spry held the bill until after the Legislature had adjourned and then vetoed the measure.

The state prohibitory law was passed by the Legislature of 1917 by a unanimous vote in the Senate and with but one dissenting vote in the House. This measure was approved by Governor Bamberger on February 8, 1917, and went into effect on August 1, 1917.

In 1909 the Legislature passed a state-wide Prohibition meas-

ure at the request of the voters of the state, 85 per cent of whom had petitioned the Legislature for a state-wide Prohibition law. Governor Spry, however, vetoed the bill.

In 1911 a local option law was adopted by the Legislature and signed by the Governor. This seemed to be a step in advance for the Prohibition forces but in reality it left conditions worse than they were before this law was enacted. Previous to the enactment of that law the state had what was equivalent to a county option measure, under the police powers of the state, which enabled counties to go dry as units and to enforce Prohibition upon all minor civil subdivisions within the county limits. The enactment of the state local option law took away the right of enforcement in the respective units from the county by providing for the township as a voting unit. As a result of the operation of this township local option law, however, 90 per cent of the territory of the state of Utah was voted dry.

The Utah Legislature was the thirty-third to ratify the National Prohibition Amendment to the Federal Constitution. The resolution for ratification was adopted by a vote of 43 to 0 in the House on January 14, 1919, and in the Senate by a vote of 16 to 0 on January 15.

VERMONT

Vermont, prior to the going into effect of National Prohibition, was under township local option, the vote on the license question being taken in each of the 246 towns of the state at the annual town meeting the first Tuesday in March.

For fifty years previous to May 1, 1903, under state-wide Prohibition Vermont had no licensed liquor saloons.

By a referendum vote taken February 3, 1903, the state prohibitory law was repealed, and a local option, high license law was adopted, the majority for the local option law being 1,041.

At the first elections under the new law 92 towns voted for license, the total majority for license being 5,360. The number of towns voting for license has been gradually decreasing until in 1917 there were only 18 license towns. Five of these were small towns in which no license was taken out.

In 1918, 10 towns voted for license, 9 having saloons. But the total majority in the state against license was 13,114, the largest majority given in any year under the present law.

The Legislature of 1915 passed a strong state-wide prohibitory law, referring the same to the vote of the people. This vote was taken on March 7, 1916, with the result that state-wide Prohibition was rejected by a large majority.

The resolution for ratification of the National Prohibition Amendment to the federal constitution was passed in the Vermont Legislature by a vote of 26 to 3 in the Senate January 16, 1919, and 155 to 58 in the House January 29. Vermont thus became the forty-third state to ratify.

The General Assembly of 1921 gave Vermont a Prohibition enforcement code which compares favorably with many other state codes. The smuggling of Scotch whisky over the Canadian border is the great drawback in Vermont. The penalties for smuggling in both the state and federal law are severe but, in spite of all the officers have done or seem to be able to do, smuggling is still on the increase from Montreal and Quebec.

VIRGINIA

Prior to the adoption of state-wide Prohibition in Virginia, the state was under local option.

In 1886 a local option law was passed by the Virginia Legislature giving to magisterial districts, counties, towns and cities the right to call elections on the liquor question.

In 1904 the Mann law was adopted, strengthening very materially the liquor laws which had been in operation a long time. The principal effect of the Mann law was to close saloons in the rural districts.

In 1908 the Byrd-Mann law was enacted by the General Assembly, which strengthened the Mann law and closed hundreds of small, isolated distilleries in various parts of the state. This law also introduced very strong enforcement features into the Virginia statutes.

In 1910 the chief issue of the temperance forces was that of state-wide Prohibition. The bill calling for an election on the state-wide Prohibition issue failed to pass the Legislature of 1910.

In 1912 the Enabling act providing for a referendum on the Prohibition question was passed by the House and defeated by the Senate.

In 1914 a similar Enabling act was passed by the House by an overwhelming vote and passed the Senate by a majority of one, the president of that body casting the deciding vote on a tie. The election under this Enabling act was held on Sept. 22, 1914. By a vote of 94,251 votes to 63,886 Prohibition was adopted as the policy of the state on the liquor question.

Prior to the adoption of state-wide Prohibition 71 of the 100 counties of the state were without saloons, while 16 of the 20 cities prohibited the liquor traffic.

The Legislature of 1916 passed a strict law enforcement code and elected the Honorable J. Sidney Peters as the first Commissioner of Prohibition of the state of Virginia. This code became effective on Nov. 1, 1916. An appropriation was made for law enforcement by the Legislature of 1916. An additional appropriation was made in 1918 and the prohibitory enforcement law was strengthened in a number of instances.

Virginia was the second state in the Union to ratify the prohibitory amendment to the Federal Constitution. Ratification was adopted by a vote of 30 to 8 in the Senate, on January 10, 1918, and by a vote of 84 to 13 in the House, on January 11.

The Legislature of 1920 weakened the state enforcement code, reduced the appropriation for enforcement, and elected Hon. Harry B. Smith to succeed Hon. J. Sidney Peters as commissioner, Mr. Smith's term of office to expire September 1, 1922, at which time the department ceased to function as a separate department.

The Legislature of 1922 amended the law enforcement code, strengthening the same in many respects, taking away from the courts the prerogative to suspend jail sentences upon manufacturing, sale or transportation of ardent spirits on a second or subsequent offense, and making it a felony to engage in the business of manufacturing, selling or transporting ardent spirits. The same Legislature placed the enforcement of Prohibition in the hands of the Attorney General with an appropriation of \$70,000 for enforcement operations.

The year 1922 in Virginia also saw the inauguration of a governor favorable to Prohibition and its strict enforcement, who took the place of a governor who had been friendly to the liquor interests and lax in the efforts to enforce the prohibitory law.

WASHINGTON

Washington is under both state and National Prohibition. The state prohibitory law was adopted by the vote of the people under the initiative, at the general election November 3, 1914, and went into effect January 1, 1916. The law was adopted by a majority of 18,632, the number of votes cast for the measure being 189,840, while the number of votes cast against the measure was 171,208. When this law went into effect it closed 1,100 saloons, 24 breweries and one distillery.

The total vote cast at the election in 1914 was larger by 42,000 than any other vote ever cast in the state. Of the 39 counties in the state, 33 gave majorities in favor of Prohibition. The only counties voting against Prohibition were Garfield, Mason, King, Pierce, Thurston and Jefferson.

In 1916 a desperate attack was made on the Prohibition law in the form of two measures initiated and promoted by the liquor interests, which measures were known as Initiative Measure No. 18 (the hotel or general liquor bill), and Initiative Measure No. 24 (the brewery or beer bill). Both of these measures were defeated by the voters at the November election, the vote on Initiative Measure No. 24 being 98,843 for and 245,399 against, making a majority against the measure of 146,556. The vote on Initiative Measure No. 18 was 48,354 for and 263,390 against, the majority against the measure being 215,036.

The Legislature of 1917 passed a bone dry law which prohibits importation, receipt, possession, sale or manufacture of liquor other than alcohol, except by clerymen for sacramental purposes.

The bone dry law enacted by the Legislature of 1917 was referred by petition to a vote of the people, and was approved at the election on November 5, 1918, by a vote of 96,100 for Prohibition to 54,322 against, thus giving a dry majority of 41,778. This law went into effect December 4, 1918.

Prior to the adoption of Prohibition Washington was under local option, the law providing for a vote on the liquor question in towns, cities and the unincorporated portion of counties. This law was enacted by the Legislature in 1909. As a result of its operations during the nve years following its enactment, 220 elections were held; 140 of these elections resulted in dry victories, 80 resulted in wet victories. Five hundred seventy-two saloons were abolished and 87 per cent of the area of the state was made dry before Prohibition was adopted.

Washington was the twenty-second state to ratify the federal prohibitory amendment. The Legislature convened at 12 o'clock noon on January 13, 1919. The first matter presented after organization was the ratification resolution, which was adopted by unanimous vote in both houses, every member of the 42 members of the Senate being present and voting, and 93 out of the 97 members of the House being present and voting.

WEST VIRGINIA

West Virginia is under both state and National Constitutional Prohibition. The prohibitory amendment to the state Constitution was adopted by a vote of the people in November, 1912, and became effective July 1, 1914. The Legislature of 1913 enacted a most stringent enforcement measure.

The Legislature of 1915 passed some additional law enforcement measures. The law prohibits any person from keeping or

having for personal use or otherwise, to use or permit another to have, keep, or use, intoxicating liquors at any restaurant, store, office building, club, place where soft drinks are sold (except a drug store may have and sell alcohol and wines as provided by law), fruit stand, news stand, room or place where bowling alleys, billiard or pool tables are maintained, livery stable, boat house, public building, park, road, street or alley.

Prior to the adoption of Prohibition West Virginia was under local option, the law providing for a vote on the liquor question in each county.

Under this law, 37 of the 55 counties had voted dry and almost 900,000 of the population were living in territory which had abolished the saloon before Prohibition became effective.

The 1917 Legislature passed a law which prohibits the carrying of liquor into the state by common carriers, thus completely barring liquor shipments. Liquor carried into the state, or from one point to another point within the state for personal use, is limited to one quart within 30 consecutive days.

On January 8, 1919, the Senate of the West Virginia Legislature ratified the National Prohibition resolution by a vote of 27 to 0, and on the following day the House ratified by 78 votes to 3, thus making West Virginia the twenty-first state to ratify.

The 1919 session of the Legislature also enacted a bone-dry measure for the state, to go into effect on January 1, 1920.

On January 13, 1919, the Supreme Court handed down a decision that the so-called "one-quart" law of the state, under which residents of the state were allowed to bring in one quart of intoxicants for personal use within 30 consecutive days, was nullified by the Reed bone-dry amendment enacted by Congress, thus making the state bone dry by federal provisions.

The Legislature at the 1921 session separated the Prohibition Bureau from the Tax Commissioner's office and made of it a separate department. On October 1, 1921, Governor E. F. Morgan appointed Hon. W. G. Brown of Summersville, W. Va., Prohibition Commissioner. This change greatly strengthened Prohibition enforcement.

WISCONSIN

Prior to the going into effect of National Prohibition, Wisconsin was under local option, the law providing for a vote on the liquor question in towns, villages and cities.

For several years the number of no-license victories in the towns and villages has constantly increased. In the spring elections of 1914, 33 incorporated cities and villages previously

wet voted dry and only one dry village voted wet, thus making a net gain of 32 dry cities and villages in the state.

In the spring elections of 1915, 35 cities and villages went dry for the first time while only three small villages changed from no-license to license. It is estimated that during 1914 and 1915 the saloon was voted out of territory inhabited by 60,000 people and as a result 400 saloons were compelled to close.

Thirty-one incorporated cities and villages, including Superior, the second city in the state, voted out the saloon in 1916. Four of the normal school cities of the state—Superior, River Falls, Menomonie and Platteville—voted out the saloon. In these four cities 2,200 young people were attending school. A net gain of 85,000 people in dry territory was made at the spring elections in 1916, and 400 saloons closed their doors in July of that year.

A determined effort was made by the liquor interests to induce the Legislature of 1913 to so amend the Baker law as to destroy its effectiveness. The effort failed. The Baker law provides that saloon licenses be granted on a ratio of one for every 250 people or fraction thereof, though where there was a larger number than this doing business when the law went into effect in 1907 they might continue provided they remained in the same location. The law was ignored in many places and many new licenses given in excess of one for every 250 people. The Anti-Saloon League carried a case to the state Supreme Court. The court decided these places were illegal. The liquor interests then made a great effort to induce the Legislature to so amend the law as to legalize all saloons doing business up to that time. This effort failed.

The Legislature of 1915 changed the limit on the number of saloons in a given community. Previous to this action saloons were permitted on a ratio of one for every 250 people. The change in the Baker law raised this to one for every 500 people.

Wisconsin ratified the National Prohibition Amendment to the Federal Constitution by a vote of 19 to 11 in the State Senate on January 16, 1919, and 58 to 35 in the House on the following day, thus being the thirty-ninth state to ratify.

When war-time Prohibition went into effect there were 9,636 retail liquor dealers' licenses and 136 brewery licenses in Wisconsin. It is not surprising, therefore, that the first enforcement code passed in 1919 attempted to legalize light beer (2.5 per cent.)

The Wisconsin Brewers' Association backed a suit by the Manitowoc Food Products Co. (Manitowoc Brewery) for an injunction prohibiting U. S. officials from enforcing the federal law,

or Volstead act, in Wisconsin. Federal Judge F. A. Geiger granted the injunction early in 1920. On June 7 the U. S. Supreme Court dissolved that injunction.

In December, 1920, the federal grand jury in Milwaukee criticized the Volstead act, petitioned Congress to legalize light wine and beer, and gave out an interview to the press. Thereupon over 40,000 Wisconsin citizens signed and forwarded protests to Congress declaring that the grand jury misrepresented public sentiment.

The Federal Prohibition Dept. heads, when visiting Wisconsin, pronounced it the hardest field, but the one where the greatest dry activity was manifest. The U. S. Court in Milwaukee last year turned in more liquor fines than were turned in by all of the states bordering Wisconsin put together, and more than any other U. S. Court in the United States. It was in this court that the greatest rum-running ring so far uncovered was convicted.

Wisconsin's state courts last year turned in to the school fund over \$300,000 in net profits from liquor cases, being three times as much as the fines from all other offenses, put together. This was done in spite of the fact that the Prohibition Commissioner's department was reorganized and put on a working basis only three months before the expiration of the year. In Milwaukee the state courts averaged 100 cases per month, and \$10,000 a month receipts, in spite of the fact that judges seemed to be unable to say more than \$100, except in rare instances.

In Kenosha Co. the district attorney, sheriff, deputy, chief-of-police and assistant chief have all been sentenced to the penitentiary for collusion with liquor law violators; and in the spring election the electors adopted the commission form of government and defeated every member of all the old political rings.

In Jefferson county District Attorney Ray C. Twining has dry cleaned the county, catching some of the peace officers who operated bootlegging as a side line. Judge George Grimm of Jefferson and Judge E. B. Belden, Racine, have set the pace for stiff sentences, with Judge Chester Fowler, Fond du Lac, running them close.

The chief obstacle to effective enforcement is the failure of U. S. Senator R. M. LaFollette and Governor J. J. Blaine to declare in favor of Prohibition, and the fact that their actions have been such as to encourage "beer and wine," "home brew," "medical beer" and other camouflages for the old booze ring campaign for nullification.

The Citizens Republican State Conference which is anti-

LaFollette, with 998 delegates selected by county mass meetings, named a slate of candidates which is bone dry from top to bottom and put them on a law enforcement platform.

The majority of the Senator LaFollette-Governor Blaine followers in the Legislature voted with the Anti-Saloon League and against their faction leaders on the dry bills, even going to the point of helping to amend the governor's own bill which did not penalize moonshine unless "for sale", and which had no penalty for liquor prescriptions to minors.

The Wisconsin Dry Law Enforcement Convention, Milwaukee, May 23-24, was the largest convention, state or national, ever held by the Anti-Saloon League and the most demonstrative. Wisconsin drys took to the national dry law enforcement convention at Washington, D. C. last December, the largest delegation of any state in the union.

Wisconsin drys face the hardest task but they are keeping organized, awake and at work as few states have done.

In Congress Wisconsin has one dry U. S. Senator, I. L. Lenroot; and five dry Congressmen: A. P. Nelson, John M. Nelson, E. E. Browne, H. A. Cooper and Jas. A. Frear. U. S. Senator R. M. LaFollette and Congressmen, Ed. Voigt, J. C. Kleczka, W. H. Stafford, Florian Lampert, D. G. Classon and J. D. Beck have voted with the wets.

In the legislature on test votes the assembly was 51 dry to 49 wet and the senate 19 dry to 14 wet.

County dry enforcement leagues are being formed; 27 counties are organized.

Education for better citizenship and Americanization with respect for and observance of law is being carried on among both native and the great foreign population.

A press bulletin service is successfully maintained and this state leads all others in per capita and per circulation publicity in the press.

WYOMING

Prior to the adoption of state-wide Prohibition Wyoming was under license and municipal and county option in the incorporated towns and villages of the state, while unincorporated sections of the state were under Prohibition.

The prohibitory amendment to the state Constitution was adopted by a vote of the people on November 5, 1918, by a majority of 15,000, and went into effect on January 1, 1920, just sixteen days before the National Prohibition amendment became

operative. The resolution submitting the state constitutional Prohibition amendment was passed by the Legislature of 1917.

During recent years a remarkable change has taken place in Wyoming conditions so far as moral reform is concerned. The Wyoming citizens are of a sturdy character who stand for the higher ideals of citizenship, and the open town, with the desperado, the gambler, the roulette wheel operator, the prize fight promoter and the advocate of licensed vice and saloon domination, are all rapidly passing.

No saloon was permitted to exist under the law outside of incorporated towns and cities. Twelve of the incorporated cities had already excluded the saloon by action of the city councils. The Yellowstone National Park, which is under the control of the United States Government, was also dry, intoxicating liquor not being permitted to pass its portals. The large Shoshone Indian Reservation was entirely dry.

Wyoming was the thirty-eighth state to ratify the National Prohibition Amendment to the Federal Constitution. The resolution for ratification was passed by a vote of 26 to 0 in the Senate on January 16, 1919, and by a vote of 52 to 0 in the House on the same day.

The 1919 session of the Legislature also adopted a prohibitory statute which made the state dry on June 30, 1919, the date when the national war-time Prohibition act went into effect. This statutory measure was passed by the unanimous vote of both houses of the Legislature on February 15, 1919. It made the usual exemptions for liquor for medicinal, scientific and sacramental purposes, provided for the appointment of a Prohibition commissioner, and for the removal of county attorneys and sheriffs who do not enforce law.

In the October term of the Supreme Court, 1920, two cases involving the constitutionality of the Search and Seizure law were argued, and in these cases the Supreme Court decided the Search and Seizure clause of the Prohibition law to be unconstitutional. As a great deal of liquor had been seized under the power conferred by this law, when it was ruled unconstitutional by the Supreme Court, it became necessary to return this liquor. The Legislature, which closed on February 19, 1921, strengthened the Prohibition law of Wyoming very materially. They passed a new law known as Senate File No. 102, which follows the Volstead or National code almost entirely, the only difference being where it became necessary to make changes to apply it as a state law. Secondly, the penalties for violation were materially increased. For first offense, the minimum fine is placed at \$200, while the

maximum remains the same as the Volstead Code, \$1,000. While the Wyoming law provides a jail sentence not exceeding 90 days, or fine and jail sentence both, the fine for second and subsequent offenses remains the same as in the Federal code. For the violation of the provisions of any permit, the penalties are greatly increased. The National code has as penalty for first offense, a fine not to exceed \$500, the Wyoming law provides a fine of not less than \$200 or more than \$1,000 or imprisonment not to exceed 90 days or both. The National code provides as a penalty for second offense a fine of not less than \$100 or more than \$1,000 or imprisonment not more than 90 days. The new law provides for second offense, a fine of not less than \$350 or more than \$2,500, or imprisonment for not more than 180 days. For any subsequent offense the penalty remains the same as it is in the National code. This code assigns the duties of the former Prohibition Commissioner to the Commissioner of Law Enforcement.

The Legislature abolished the office of State Prohibition Commissioner and enacted a new law known as Senate File No. 46, which creates a department of Law Enforcement which is composed of a Law Enforcement Commissioner, one deputy, an office clerk and not to exceed seven agents. The commissioner is made responsible for the enforcement of all laws of the state.

During the year 1921 the Department of Law Enforcement more than paid for the expense of operation through the fines collected as a result of their activity.

ALASKA

Alaska is under Prohibition. The law which was enacted by the Sixty-Fourth Congress went into effect on January 1, 1918. Under the provisions enacted by the Territorial Legislature the voters of Alaska were given the opportunity to express their sentiments on the question of territorial Prohibition in the November election of 1916, at which time a large majority voted for Prohibition. The Prohibition law was passed by the United States Senate on January 31, 1917, and by the House of Representatives on February 2, 1917, the same being approved by the president on February 14, 1917.

PORTO RICO

Porto Rico is under Prohibition, the law having gone into effect on March 2, 1918. The Sixty-Fourth Congress enacted a law

providing for a vote on the question of the Prohibition of intoxicating liquors in the island of Porto Rico, and a special election was held July 16, 1917. Prohibition was adopted by a vote of 99,775 to 61,295, 51 municipalities voting in favor of Prohibition as against 21 opposed to it. The vote of San Juan was 17,115 in favor of Prohibition as against 2,155 opposed.

Constitution of The Anti-Saloon League of America

ARTICLE I. Name

The name of this organization is the Anti-Saloon League of America.

ARTICLE II. Object

The object of this League is the extermination of the beverage liquor traffic, for the accomplishing of which the alliance of all who are in harmony with this object is invited. The League pledges itself to avoid affiliation with any political party as such, and to maintain an attitude of strict neutrality on all questions of public policy not directly and immediately concerned with the traffic in strong drink.

ARTICLE III. Officers.

The officers of this League shall be a president, twelve vice presidents, a secretary, a treasurer, and a general superintendent, all of whom shall be elected bi-ennially by the Board of Directors at the time of each national convention; also an associate general superintendent, a general manager of publishing interests, a financial secretary, a legislative superintendent, an assistant general superintendent and an attorney, who shall be chosen biennially by the Board of Directors upon the nomination of the Executive Committee; also superintendents of the several state leagues, each of whom shall be elected annually by the State League by whatever method it may determine, upon the nomination of the General Superintendent. The State League may reject the first nomination for reasons which shall be given in writing within forty days and ask that another nomination be made. Upon receiving such request from the State League, the General Superintendent shall make another and different nomination, and if the State League does not accept the second nomination within forty days, the National Executive Committee shall elect a state superintendent who shall hold office for one year or until a successor is elected as provided herein. The State League shall fix the amount of salary subject to the approval of the National Executive Committee.

ARTICLE IV. Board of Directors

Section 1. There shall be a Board of Directors composed of two representatives from each State League and additional representatives as follows: Each state having a population of more than 1,000,000, according to the last Federal census, shall have an additional member of the Board of Directors for each additional 1,000,000 population or major part thereof. Provided, that the maximum representation on the Board of Directors be limited to five members from each State League.

Section 2. The Board of Directors shall transact the business of the League and shall have power to adopt such by-laws in conformity with this constitution as may be necessary for the conduct of the League's affairs.

ARTICLE V. Executive Committee.

There shall be an Executive Committee elected bi-ennially by the Board of Directors consisting of 19 members, one member for each of the following districts: District No. 1, the New England States; District No. 2, New York; District No. 3, Maryland, New Jersey, Delaware and the District of Columbia; District No. 4, Pennsylvania; District No. 5, Virginia, North Carolina and South Carolina; District No. 6, Ohio and West Virginia; District No. 7, Indiana and Michigan; District No. 8, Illinois; District No. 9, Kentucky, Tennessee and Mississippi; District No. 10, Georgia, Alabama and Florida; District No. 11, Louisiana and Texas; District No. 12, Missouri and Arkansas; District No. 13, Wisconsin, Minnesota and Iowa; District No. 14, Nebraska, Kansas, Colorado and Oklahoma; District No. 15, California, Nevada, Utah, Arizona and New Mexico; District No. 16, Washington, Oregon, Idaho, Montana, Wyoming, North Dakota and South Dakota; and three members at large, not more than one of which shall come from any one of the 16 districts.

ARTICLE VI. State Boards of Trustees

There shall be a Board of Trustees for each State League. Each such Board shall be representative of the church bodies and other organizations in the state co-operating in the League, and shall be elected annually or bi-ennially by such method as may be determined by the state convention or State Board of Trustees.

ARTICLE VII. Headquarters Committee.

There shall be a Headquarters Committee for each State League consisting of not less than five members, six of whom, shall be elected annually or bi-ennially by the State Board of Trustees.

ARTICLE VIII. Conventions.

Conventions of this League shall be held bi-ennially. The time and place shall be fixed by the Executive Committee. By a two-thirds vote of the Executive Committee special conventions may be called. All persons shall be recognized as delegates to the convention who are appointed by local churches, Sunday schools, Gideons, Young People's Societies, temperance organizations, Y. W. C. A. and Y. M. C. A. or district or annual associations, synods or conventions of a religious body, or by any state Board of Trustees or state Headquarters Committee, or any other organization cooperating with the State League.

ARTICLE IX. Amendments

Amendments to this constitution may be made at any bi-ennial meeting by a two-thirds vote of the members of the Board of Directors present and voting, upon recommendation of a two-

thirds vote of the Executive Committee, or, in the absence of such recommendation, by a three-fourths vote of the members of the Board of Directors present and voting. Final vote upon any proposed amendment shall not be taken within 24 hours after it shall have been presented to the board.

ARTICLE X.

This Constitution shall be in effect on and after June 1, 1914.

By-Laws of The Anti-Saloon League

The General Superintendent

1. The general superintendent shall give his entire time to the organization and work of the League, and the superintendency of its activities throughout the entire United States.

The Secretary

2. The secretary shall keep a record of the proceedings of the national convention and the Board of Directors and publish the same when authorized for sale and distribution, and shall issue notices of meetings of the Board of Directors and perform such other work as properly pertains to the office.

The Manager of Publishing Interests

3. The general manager of publishing interests shall have supervision over the League's publishing interests, including the business management of the American Issue Publishing Company and the editorial conduct of the League publications. He shall be under the direction of and responsible to the Executive Committee and through it to the Board of Directors.

The Financial Secretary

4. The financial secretary shall supervise the work of securing funds for the maintenance of the League, including the collection of the percentage due the national treasury from the State Leagues. He shall not conduct a financial campaign in any state without an arrangement made between the Executive Committee and state superintendent and Headquarters Committee of the State League. He shall be under the direction of and responsible to the general superintendent and the Executive Committee, and through them to the Board of Directors.

The Legislative Superintendent

5. The legislative superintendent shall represent the Anti-Saloon League in the effort to secure improved temperance legislation by Congress with the counsel and under the direction of the general superintendent and the Executive Committee. When not engaged in such work, he shall give his time in work for the League under the direction of the general superintendent and the Executive Committee.

The Assistant General Superintendent

6. The assistant general superintendent shall give his time in work for the League under the direction of the general superintendent and the Executive Committee.

The Associate General Superintendent

7. The associate general superintendent shall give his time to the work of securing funds for the League, and in the promotion of the work of the Lincoln-Lee Legion, with the counsel and under the direction of the general superintendent and the Executive Committee. When not engaged in such work, he shall give his time in work for the League under the direction of the general superintendent and the Executive Committee.

The Attorney

8. The attorney shall represent the League in legal matters and in the general law enforcement department of the League work with the counsel and under the direction of the general superintendent and the Executive Committee. When not engaged in such work he shall give his time in work for the League under the direction of the general superintendent and the Executive Committee.

State Superintendents

9. Each superintendent of a State League shall superintend the work of the League in that state under the direction of the Headquarters Committee in harmony with the policy laid down by the Executive Committee and the general superintendent. He shall counsel with the state Headquarters Committee and shall execute the policies and plans initiated or determined by the state Board of Trustees in harmony with the policies of the Board of Directors of the Anti-Saloon League of America.

Each state superintendent shall make a report to the General Superintendent of all contributions, receipts and disbursements, together with an exact statement of the financial condition of his state League by the 15th of each month, provided that this section shall not apply to any funds raised in any state by the National League.

Financial Assessments

10. The Executive Committee shall determine questions of policy or procedure, shall investigate the financial condition of the League and shall make such assessments upon the State Leagues as it may deem necessary for the support of the National League, always in consultation with and as far as possible in agreement with the State Leagues. In making the assessment in each case the Executive Committee shall take into account: (1) The annual income of the State League; (2) The financial resources of the state; (3) The necessary demands for what is considered as peculiarly State League work; (4) The salary of the state superintendent and the salaries of the other employees of the State League; (5) Any special item which in the judgment of the Exe-

utive Committee should have an effect upon the assessment on any state. Provided, however, that the assessment shall in no case be less than 10 per cent of the gross annual income of any State League, and provided also, that the assessment shall not exceed 25 per cent of the gross annual income of any State League, except by mutual agreement between the Executive Committee and the Headquarters Committee of the State League. The amounts yielded by these assessments on the gross receipts of the several state Leagues shall be paid into the national treasury, on or before the 15th of each month, with the understanding that in such income there shall not be included any funds raised in any state by the National League.

The Board of Directors

11. The Board of Directors shall meet at the time and place of each convention. Special meetings shall be called by the president of the Board of Directors upon the written request of not less than a majority of the members of the board from each of seven states. Thirty members of the board shall constitute a quorum. Notices of called meetings must be mailed to each member of the board at least 30 days before the meeting is held. All officers of the League and members of the Executive Committee who are not regularly elected members of the Board of Directors shall have the privilege of the floor in the meetings of the board, but without vote. The members of the board representing each state League shall be elected by the state by such methods as it may deem best.

Trustees of Publishing Company

12. The Board of Directors shall elect the trustees who shall hold in trust the stock of the corporate body known as The American Issue Publishing Company, which was organized under the laws of the state of Ohio to conduct the League's publishing business, said trustees to be five in number and to hold office for one year, or until their successors are elected. Such trustees shall hold all property, real and personal, pertaining to the national printing plant, now located at Westerville, Ohio, as trustees for the Anti-Saloon League of America, and shall not as such trustees or directors receive any salary or any profit whatsoever from the operation of the plant, and neither the board, as a whole, nor any member of the same, shall have power to convey any right, title or interest in said plant to any person or persons other than their successors elected by the national Board of Directors or the Executive Committee, except when ordered to do so by a vote of the Board of Directors of the Anti-Saloon League of America at a regular meeting.

The Executive Committee

13. The Executive Committee, not more than one-third of whose members shall be salaried officials or employees of the League, either state or national, shall act in all matters for the Board of Directors during the interim between meetings of the

board; shall meet as often as twice a year, their necessary expenses in attending such meetings to be paid by the League; shall direct and control the movement and expenditures of the general superintendent and other active officers of the League; shall provide such assistance as it may deem necessary for the successful prosecution of the work; shall prepare a budget of the probable expenses of the several departments of the League and report the same, together with a digest of its work and proceedings, to the Board of Directors for their guidance; shall fix the salary of all active officers of the League, including those of the superintendents of the State Leagues, and shall also have power to fill vacancies occurring in the offices of the League and in the Executive Committee in the interim between meetings of the Board of Directors. Each state superintendent shall make a report to the general superintendent of all contributions, receipts and disbursements, together with an exact statement of the financial condition of his State League once each month. Provided, that this section shall not apply to any funds raised in any state by the National League.

Powers of State Boards

14. The state Board of Trustees for any State League shall determine questions of policy or procedure for the work in that State League in harmony with the policies and plans of the national Board of Directors. It shall elect the state Headquarters Committee and the members of the national Board of Directors allotted to that state by the constitution of the Anti-Saloon League of America. The word "state" shall include the District of Columbia and the Territories.

Constitution of the World League Against Alcoholism

ARTICLE 1. Name.

The name of this League is the World League Against Alcoholism.

ARTICLE 2. Object.

The object of this League is to attain, by the means of education and legislation, the total suppression throughout the world of alcoholism, which is the poisoning of body, germ-plasm, mind, conduct and society, produced by the consumption of alcoholic beverages. This League pledges itself to avoid affiliation with any political party as such, and to maintain an attitude of strict neutrality on all questions of public policy, not directly and immediately concerned with the traffic in alcoholic beverages.

ARTICLE 3. Membership

The membership of this League is open to organizations which are in harmony with the objects, which are national in the scope of their operation and which in their international activities shall work through this League or in cooperation with this League. Such organizations whose officers or accredited representatives are signatories to this constitution shall be considered active members of this League when the action of their officers or accredited representatives in signing this document has been officially ratified by the proper authorities of such organizations. Other similar organizations may be added to the membership of the League from time to time by a three-fourths vote of the General Council of the League, or of the Permanent International Committee, to extend an invitation to such organizations eligible under the provisions of this constitution.

The Permanent International Committee shall have the right to admit individuals as associate members of the League, but such associate members shall not be represented in the General Council or Permanent International Committee.

ARTICLE 4. Officers.

The officers of this League shall be: Five Joint Presidents, a Vice-President for each country represented in the membership of this League, a Treasurer and a General Secretary, each of

whom shall be chosen for a term of three years and shall be elected by the General Council upon the nomination of the Permanent International Committee.

ARTICLE 5. General Council.

There shall be a General Council composed of one or more members as specified by the Council, from each organization holding membership in the League, chosen by such method as may be determined by said organization, and additional members elected by the Council, but the number of additional members thus chosen or the members from any one organization shall not at any time exceed one-third of the total membership of the Council.

ARTICLE 6. Permanent International Committee.

There shall be a Permanent International Committee consisting of (1) the officers, (2) one member from each organization holding membership in the League. Each member shall be elected for three years by the organization which he represents on the committee by such method as may be determined by the said organization, and each member shall hold office until his successor shall have been duly elected and his election duly certified to the Permanent International Committee. (3) Additional members elected by the Permanent International Committee, but the number of additional members thus chosen shall not at any time exceed one-third of the total membership of the Council.

ARTICLE 7. Executive Committee.

There shall be an Executive Committee consisting of the Presidents, Treasurer, and General Secretary, and not fewer than seven nor more than thirty-five members elected annually by the Permanent International Committee.

ARTICLE 8. Finance.

The League shall be supported by assessments to be fixed by mutual agreement between the Permanent International Committee and each member of the League. The Permanent International Committee shall devise ways and means for the securing of additional financial support to meet special demands.

ARTICLE 9. Conventions

Conventions of this League shall be held once in every three years, the time and place to be fixed at least twelve months

beforehand by the Permanent International Committee. By a two-thirds vote, special conventions may be called at such time and place as may be determined by the Committee.

ARTICLE 10. By-Laws.

The Executive Committee may adopt such by-laws as it may find necessary and desirable for the conduct of the business of the League.

ARTICLE 11. AMENDMENTS.

Amendments to this Constitution may be made at any regular meeting of the General Council by a two-thirds vote of the members present and voting, providing the amendment has been recommended by a two-thirds vote of the Permanent International Committee; or in the absence of such recommendation, by a three-fourths vote of the members present and voting. The final vote upon any proposed amendment shall not be taken within six hours after the amendment shall have been presented to the Council.

Constitution of the United States

We, the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity; do ordain and establish this Constitution for the United States of America.

ARTICLE 1.

Section 1. All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Sec. 2. 1. The House of Representatives shall be composed of members chosen every second year by the people of the several states, and the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.

2. No person shall be a Representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state in which he shall be chosen.

3. Representatives and direct taxes shall be apportioned among the several states which may be included within this Union according to their respective numbers, which shall be determined by adding to the whole number of free persons including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not exceed one for every thirty thousand but each state shall have at least one Representative, and until such enumeration shall be made, the state of New Hampshire shall be entitled to choose 3; Massachusetts, 8; Rhode Island and Providence Plantations, 1; Connecticut, 5; New York, 6; New Jersey, 4; Pennsylvania, 8; Delaware, 1; Maryland, 6; Virginia, 19; North Carolina, 5; South Carolina, 5; and Georgia, 3.*

4. When vacancies happen in the representation from any state, the executive authority thereof shall issue writs of election to fill such vacancies.

5. The House of Representatives shall choose their Speaker and other officers, and shall have the sole power of impeachment.

Sec. 3. [See Article XVII, Amendments.] 1. The Senate of the United States shall be composed of two Senators from each state, chosen by the Legislature thereof, for six years; and each Senator shall have one vote.

*See Article XIV, Amendments.

2. Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year; and if vacancies happen by resignation, or otherwise, during the recess of the Legislature of any state, the executive thereof may make temporary appointment until the next meeting of the Legislature, which shall then fill such vacancies.

3. No person shall be a Senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state for which he shall be chosen.

4. The Vice President of the United States shall be President of the Senate, but shall have no vote unless they be equally divided.

5. The Senate shall choose their other officers, and also a President pro tempore, in the absence of the Vice President, or when he shall exercise the office of President of the United States.

6. The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the Chief Justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present.

7. Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States; but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment, and punishment, according to law.

Sec. 4. 1. The times, places and manner of holding elections for Senators and Representatives shall be prescribed in each state by the Legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to places of choosing Senators.

2. The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

Sec. 5. 1. Each House shall be the judge of the elections, returns, and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members in such manner and under such penalties as each House may provide.

2. Each House may determine the rules of its proceedings,

punish its members for disorderly behavior, and with the concurrence of two-thirds expel a member.

3. Each House shall keep a journal of its proceedings, and from time to time publish the same; excepting such parts as may in their judgment require secrecy; and the yeas and nays of the members of either House on any question shall, at the desire of one-fifth of those present, be entered on the journal.

4. Neither House, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.

Sec. 6. 1. The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the Treasury of the United States. They shall in all cases, except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses, and in going to and returning from the same; and for any speech or debate in either House they shall not be questioned in any other place.

2. No Senator or Representatives shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States shall be a member of either House during his continuance in office.

Sec. 7. 1. All bills for raising revenue shall originate in the House of Representatives, but the Senate may propose or concur with amendments, as on other bills.

2. Every bill which shall have passed the House of Representatives and the Senate shall, before it become a law, be presented to the President of the United States; if he approve, he shall sign it, but if not, he shall return it, with his objections, to that House in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If after such reconsideration two-thirds of that House shall agree to pass the bill it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered; and if approved by two thirds of that House it shall become a law. But in all such cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each House respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the Congress by their adjournment prevent its return; in which case it shall not be a law.

3. Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary

(except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect shall be approved by him, or being disapproved by him, shall be repassed by two-thirds of the Senate and the House of Representatives, according to the rules and limitations prescribed in the case of a bill.

Sec. 8. 1. The Congress shall have power:

To lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States.

2. To borrow money on the credit of the United States.

3. To regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

4. To establish an uniform rule of naturalization and uniform laws on the subject of bankruptcies throughout the United States.

5. To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures.

6. To provide for the punishment of counterfeiting the securities and current coin of the United States.

7. To establish post-offices and post-roads.

8. To promote the progress of science and useful arts by securing for limited times to authors and inventors the exclusive rights to their respective writings and discoveries.

9. To constitute tribunals inferior to the Supreme Court.

10. To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations.

11. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water.

12. To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years.

13. To provide and maintain a navy.

14. To make rules for the government and regulation of the land and naval forces.

15. To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions.

16. To provide for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the states respectively the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress.

17. To exercise exclusive legislation in all cases whatsoever over such district (not exceeding ten miles square) as may, by cession of particular states and the acceptance of Congress, become the seat of government of the United States, and to exercise like authority over all places purchased by the consent of the Legislature of the state in which the same shall be, for the erection

of forts, magazines, arsenals, dry-docks, and other needful buildings.

18. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

Sec. 9. 1. The migration or importation of such persons as any of the states now existing shall think proper to admit shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.

2. The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

3. No bill of attainder or ex post facto law shall be passed.

4. No capitation or other direct tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.

5. No tax or duty shall be laid on articles exported from any state.

6. No preference shall be given by any regulation of commerce or revenue to the ports of one state over those of another, nor shall vessels bound to or from one state be obliged to enter, clear, or pay duties in another.

7. No money shall be drawn from the Treasury but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

8. No title of nobility shall be granted by the United States. And no person holding any office of profit or trust under them shall, without the consent of the Congress, accept any present, emolument, office, or title of any kind whatever from any king, prince, or foreign state.

Sec. 10. 1. No state shall enter into any treaty, alliance or confederation, grant letters of marque and reprisal, coin money, emit bills of credit, make anything but gold and silver coin a tender in payment of debts, pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts, or grant any title of nobility.

2. No state shall, without the consent of the Congress, lay any impost or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws, and the net produce of all duties and imposts, laid by any state on imports or exports, shall be for the use of the Treasury of the United States; and all such laws shall be subject to the revision and control of the Congress.

3. No state shall, without the consent of Congress, lay any duty of tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another state, or

with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

ARTICLE II

Section 1. 1. The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice President, chosen for the same term, be elected as follows:

2. Each state shall appoint, in such manner as the Legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the state may be entitled in the Congress; but no Senator or Representative or person holding office of trust or profit under the United States shall be appointed an elector.

3. [The electors shall meet in their respective states and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same state with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each, which list they shall sign and certify and transmit, sealed, to the seat of the government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of electors appointed, and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose by ballot one of them for President: and if no person have a majority, then from the five highest on the list the said House shall in like manner choose the President. But in choosing the President, the vote shall be taken by states, the representation from each state having one vote. A quorum, for this purpose, shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. In every case, after the choice of the President, the person having the greatest number of votes of the electors shall be the Vice President. But if there should remain two or more who have equal votes, the Senate shall choose from them by ballot the Vice President.]*

4. The Congress may determine the time of choosing the electors and the day on which they shall give their votes, which day shall be the same throughout the United States.

5. No person except a natural born citizen, or a citizen of the United States at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the

*This clause is superseded by Article XII, Amendments.

age of thirty-five years and been fourteen years a resident within the United States.

6. In case of the removal of the President from office, or his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President, and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice President, declaring what officer shall then act as President, and such officer shall act accordingly until the disability be removed or a President shall be elected.

7. The President shall, at stated times, receive for his services a compensation which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

8. Before he enter on the execution of his office he shall take the following oath or affirmation:

"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will to the best of my ability, preserve, protect, and defend the Constitution of the United States."

Sec. 2. 1. The President shall be Commander-in-Chief of the Army and Navy of the United States, and of the militia of the several states when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offenses against the United States except in cases of impeachment.

2. He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States whose appointments are not herein otherwise provided for, and which shall be established by law; but the Congress may by law vest the appointment of such inferior officers as they think proper in the President alone, in the courts of law, or in the heads of departments.

3. The President shall have power to fill up all vacancies that may happen during the recess of the Senate by granting commissions, which shall expire at the end of their next session.

Sec. 3. He shall from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both Houses, or either of them, and in case of disagreement between them with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive

ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

Sec. 4. The President, Vice President, and all civil officers of the United States shall be removed from office on impeachment for and conviction of treason, bribery, or other high crimes and misdemeanors.

ARTICLE III.

Section 1. The judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the Supreme and inferior courts, shall hold their offices during good behavior, and shall at stated times receive for their services a compensation which shall not be diminished during their continuance in office.

Sec. 2. 1. The judicial power shall extend to all cases in law and equity arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers, and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more states, between a state and citizens of another state, between citizens of different states, between citizens of the same state claiming lands under grants of different states, and between a state, or the citizens thereof, and foreign states, citizens or subjects.

2. In all cases affecting ambassadors, other public ministers, and consuls, and those in which a state shall be party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction both as to law and fact, with such exceptions and under such regulations as the Congress shall make.

3. The trial of all crimes, except in cases of impeachment, shall be by jury, and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state the trial shall be at such place or places as the Congress may by law have directed.

Sec. 3. 1. Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

2. The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood or forfeiture except during the life of the person attained.

ARTICLE IV.

Sec. 1. Full faith and credit shall be given in each state to the public acts, records, and judicial proceedings of every

other state. And the Congress may by general laws prescribe **the manner in which** such acts, records, and proceedings shall be proved, and the effect thereof.

Sec. 2. 1. The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.

2. A person charged in any state with treason, felony, or other crime, who shall flee from justice, and be found in another state, shall, on demand of the executive authority of the state from which he fled, be delivered up, to be removed to the state having jurisdiction of the crime.

3. No person held to service or labor in one state, under the laws thereof, escaping into another shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

Sec. 3. 1. New states may be admitted by the Congress into this Union; but no new state shall be formed or erected within the jurisdiction of any other state, nor any state be formed by the junction of two or more states, or parts of states, without the consent of the Legislatures of the states concerned, as well as of the Congress.

2. The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.

Sec. 4. The United States shall guarantee to every state in this Union a republican form of government, and shall protect each of them against invasion, and, on application of the Legislature, or of the executive (when the Legislature cannot be convened) against domestic violence.

ARTICLE V.

The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the Legislatures of two-thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the Legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the Senate.

ARTICLE VI.

1. All debts contracted and engagements entered into before the adoption of this Constitution shall be as valid against

the United States under this Constitution as under the Confederation.

2. This Constitution and the laws of the United States which shall be made in pursuance thereof and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land, and the judges in every state shall be bound thereby, anything in the Constitution or laws of any state to the contrary notwithstanding.

3. The Senators and Representatives before mentioned, and the members of the several State Legislatures, and all executive and judicial officers, both of the United States and of the several states, shall be bound by oath or affirmation to support this Constitution, but no religious test shall ever be required as a qualification to any office or public trust under the United States.

ARTICLE VII.

The ratification of the conventions of nine states shall be sufficient for the establishment of this Constitution between the states so ratifying the same.

AMENDMENTS TO THE CONSTITUTION

ARTICLE I.

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

ARTICLE II.

A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.

ARTICLE III.

No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war but in a manner to be prescribed by law.

ARTICLE IV.

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

ARTICLE V.

No person shall be held to answer for a capital or other infamous crime unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service, in time of war or public danger; nor shall any person be subject for the same offense

to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

ARTICLE VI.

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

ARTICLE VII.

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any court of the United States than according to the rules of the common law.

ARTICLE VIII.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

ARTICLE IX.

The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

ARTICLE X.

The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

ARTICLE XI.

The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States, by citizens of another state, or by citizens or subjects of any foreign state.

ARTICLE XII.

The electors shall meet in their respective states, and vote by ballot for President and Vice President, one of whom at least shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice President; and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice President, and of the number of votes for each, which list they shall sign and certify, and transmit, sealed, to the seat of the government of the United States, directed to the President of the Senate; the

President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted; the person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers, not exceeding three, on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President, whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice President shall act as President, as in the case of the death or other constitutional disability of the President. The person having the greatest number of votes as Vice President shall be the Vice President, if such number be a majority of the whole number of electors appointed, and if no person have a majority, then from the two highest numbers on the list the Senate shall choose the Vice President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice President of the United States.

ARTICLE XIII.

1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

2. Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XIV.

1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

2. Representatives shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each state, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the executive and judicial officers

of a state, or the members of the Legislature thereof, is denied to any of the male members of such state, being of twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion, which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such state.

3. No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or holding any office, civil or military, under the United States, or under any state, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any state, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid and comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each House, remove such disability.

4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection and rebellion, shall not be questioned. But neither the United States nor any state shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations, and claims shall be held illegal and void.

5. The Congress shall have power to enforce by appropriate legislation the provisions of this article.

ARTICLE XV.

1. The right of the citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of race, color, or previous condition of servitude.

2. The Congress shall have power to enforce the provisions of this article by appropriate legislation.

ARTICLE XVI.

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several states, and without regard to any census or enumeration.

ARTICLE XVII.

1. The Senate of the United States shall be composed of two Senators from each state, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the State Legislatures.

2. When vacancies happen in the representation of any state in the Senate, the executive authority of such state shall issue

writs of election to fill such vacancies: Provided, That the Legislature of any state may empower the executive thereof to make temporary appointment until the people fill the vacancies by election as the Legislature may direct.

3. This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

ARTICLE XVIII.

1. After one year from the ratification of this article the manufacture, sale or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

2. The Congress and the several states shall have concurrent power to enforce this article by appropriate legislation.

3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided by the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

ARTICLE XIX.

1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

2. Congress shall have power, by appropriate legislation, to enforce the provisions of this article.

THE SIXTY-EIGHTH CONGRESS

Terms of Representatives begin March 4, 1923, and end March 4, 1925. Terms of Senators end on March 4 of the year preceding name.

SENATE

President.....Calvin Coolidge, R., of Mass.

Terms Expire	Senators	P. O. Address	Terms Expire	Senators	P. O. Address
ALABAMA			MICHIGAN		
1927..	Oscar W. Underwood, D.	Birmingham	1929..	Woodbridge N. Ferris, D.	Big Rapids
1925..	J. Thos. Heflin, D.	Lafayette	1925..	James C. Couzens, R.	Detroit
ARIZONA			MINNESOTA		
1929..	Henry F. Ashurst, D.	Prescott	1929..	Hendrik Shipstead, Fm.-Lb.	Minneapolis
1927..	Ralph H. Cameron, R.	Phoenix	1925..	Knute Nelson, R.	Alexandria
ARKANSAS			MISSISSIPPI		
1927..	Thad. H. Caraway, D.	Jonesboro	1929..	Hubert D. Stephens, D.	New Albany
1925..	Joe T. Robinson, D.	Lonoke	1925..	Pat Harrison, D.	Gulfport
CALIFORNIA			MISSOURI		
1929..	Hiram W. Johnson, R.	San Francisco	1929..	James A. Reed, D.	Kansas City
1927..	Sam'l M. Shortridge, R.	Menlo Park	1927..	S. P. Spencer, R.	St. Louis
COLORADO			MONTANA		
1927..	Sam'l D. Nicholson, R.	Leadville	1929..	B. K. Wheeler, D.	Butte
1925..	L. C. Phipps, R.	Denver	1925..	Thomas J. Walsh, D.	Helena
CONNECTICUT			NEBRASKA		
1929..	George P. McLean, R.	Simsbury	1929..	Ralph B. Howell, R.	Omaha
1927..	Frank B. Brandegee, R.	New London	1925..	George W. Norris, R.	McCook
DELAWARE			NEVADA		
1929..	Thomas F. Bayard, D.	Wilmington	1929..	Key Pittman, D.	Tonopah
1925..	L. H. Ball, R.	Marshallton	1927..	Tasker L. Oddie, R.	Reno
FLORIDA			NEW HAMPSHIRE		
1929..	Park Trammell, D.	Lakeland	1925..	Henry W. Keyes, R.	Haverhill
1927..	Duncan U. Fletcher, D.	Jacksonville	1927..	George H. Moses, R.	Concord
GEORGIA			NEW JERSEY		
1927..	Walter F. George, D.	Atlanta	1929..	Edward I. Edwards, D.	Jersey City
1925..	W. J. Harris, D.	Cedartown	1925..	Walter E. Edge, R.	Atlantic City
IDAHO			NEW MEXICO		
1927..	Frank R. Gooding, R.	Gooding	1929..	Andrieus A. Jones, D.	E. Las Vegas
1925..	William E. Borah, R.	Boise	1925..	Holm O. Bursum, R.	Socorro
ILLINOIS			NEW YORK		
1927..	Wm. B. McKinley, R.	Champaign	1929..	Royal S. Copeland, D.	New York Cy.
1925..	Medill McCormick, R.	Chicago	1925..	Jas. W. Wadsworth, Jr., R.	Groveland
INDIANA			NORTH CAROLINA		
1929..	Sam'l M. Ralston, D.	Indianapolis	1927..	Lee S. Overman, D.	Salisbury
1927..	James E. Watson, R.	Rushville	1925..	Furnifold McL. Simmons, D.	Newbern
IOWA			NORTH DAKOTA		
1927..	Albert B. Cummins, R.	Des Moines	1929..	Lynn J. Frazier, R.	Hoople
1925..	Smith W. Brookhart, R.	Des Moines	1927..	E. F. Ladd, R.	Fargo
KANSAS			OHIO		
1927..	Charles Curtis, R.	Topeka	1929..	Simeon D. Fess, R.	Yellow Springs
1925..	Arthur Capper, R.	Topeka	1927..	Frank B. Willis, R.	Delaware
KENTUCKY			OKLAHOMA		
1927..	Rich P. Ernst, R.	Covington	1927..	J. W. Harreld, R.	Oklahoma City
1925..	A. O. Stanley, D.	Henderson	1925..	Robt. L. Owen, D.	Muskogee
LOUISIANA			OREGON		
1927..	Edwin S. Broussard, D.	New Iberia	1927..	Robt. N. Stanfield, R.	Portland
1925..	Joseph E. Ransdell, D.	L. Providence	1925..	Charles L. McNary, R.	Salem
MAINE			PENNSYLVANIA		
1929..	Frederick Hale, R.	Portland	1929..	David A. Reed, R.	Pittsburgh
1925..	Bert M. Fernald, R.	West Poland	1927..	George W. Pepper, R.	Philadelphia
MARYLAND			RHODE ISLAND		
1929..	William C. Bruce, D.	Baltimore	1929..	Peter G. Gerry, D.	Warwick
1927..	O. E. Weller, R.	Baltimore	1925..	LeBaron B. Colt, R.	Bristol
MASSACHUSETTS			SOUTH CAROLINA		
1929..	Henry C. Lodge, R.	Nahant	1927..	Ellison D. Smith, D.	Florence
1925..	D. I. Walsh, D.	Fitchburg	1925..	Nath. B. Dial, D.	Laurens

Expire Terms	Senators	P. O. Address	Terms Expire	Senators	P. O. Address
SOUTH DAKOTA			VIRGINIA		
1927..Peter Norbeck, R.....	Redfield		1929..Claude A. Swanson, D....	Chatham	
1925..Thomas Sterling, R.....	Vermilion		1925..Carter Glass, D.....	Lynchburg	
TENNESSEE			WASHINGTON		
1929..Kenneth D. McKellar, D.....	Memphis		1929..C. C. Dill, D.....	Spokane	
1925..John K. Shields, D.....	Knoxville		1927..Wesley L. Jones, R.....	Seattle	
TEXAS			WEST VIRGINIA		
1929..Earle B. Mayfield, D.....	Austin		1929..M. M. Neely, D.....	Fairmont	
1925..Morris Sheppard, D.....	Texarkana		1925..Davis Elkins, R.....	Morgantown	
UTAH			WISCONSIN		
1929..Wm. H. King, D.....	Salt Lake City		1929..Robert M. LaFollette, R.....	Madison	
1927..Reed Smoot, R.....	Provo		1927..Irvine L. Lenroot, R.....	Superior	
VERMONT			WYOMING		
1929..Frank L. Greene, R.....	St. Albans		1929..John B. Kendrick, D.....	Sheridan	
1927..Wm. P. Dillingham, R.....	Montpelier		1925..Francis E. Warren, R....	Cheyenne	

The whole number of Senators is 96. Republicans, 53; Democrats, 42; Farmer-Labor, 1. Senator Truman H. Newberry, Rep., of Michigan, whose term would have expired on March 4, 1925, resigned on Nov. 19, 1922.

HOUSE OF REPRESENTATIVES

ALABAMA			DELAWARE		
Dist. Representatives Politics P.O.Address			At Large		
1 John McDuffie.....D.....	Monroeville		Dist. Representatives Politics P.O.Address		
2 John R. Tyson.....D.....	Montgomery		William H Boyce.....D.....		
3 Henry B. Steagall.....D.....	Ozark		FLORIDA		
4 Lamar Jeffers.....D.....	Anniston		1 Herbert J. Drane.....D.....	Lakeland	
5 William B. Bowling....D.....	Lafayette		2 Frank Clark.....D.....	Gainesville	
6 William B. Oliver.....D.....	Tuscaloosa		3 John H. Smithwick....D.....	Pensacola	
7 M. C. Allgood.....D.....	Allgood		4 William J. Sears.....D.....	Kissimmee	
8 Edward B. Almon.....D.....	Tusculumbia		GEORGIA		
9 George Huddleston.....D.....	Birmingham		1 R. Lee Moore.....D.....	Statesboro	
10 William B. Bankhead....D.....	Jasper		2 Frank Park.....D.....	Sylvester	
ARIZONA			3 Charles R. Crisp.....D.....	Americus	
At Large			4 William C. Wright.....D.....	Newman	
Carl Hayden.....D.....	Phoenix		5 William D. Upshaw....D.....	Atlanta	
ARKANSAS			6 James W. Wise.....D.....	Fayetteville	
1 William J. Driver.....D.....	Osceola		7 Gordon Lee.....D.....	Chickamauga	
2 William A. Oldfield....D.....	Batesville		8 Charles H. Brand.....D.....	Athens	
3 John N. Tillman.....D.....	Fayetteville		9 Thomas M. Bell.....D.....	Gainesville	
4 Otis Wingo.....D.....	De Queen		10 Carl Vinson.....D.....	Milledgeville	
5 Heartsill Ragon.....D.....	Clarksville		11 William C. Lankford...D.....	Douglas	
6 L. E. Sawyer.....D.....	Hot Springs		12 William W. Larsen.....D.....	Dublin	
7 Tilman B. Parks.....D.....	Hepe		IDAHO		
CALIFORNIA			1 Burton L. French.....R.....	Moscow	
1 Clarence F. Lea.....D.....	Santa Rosa		2 Addison T. Smith.....R.....	Twin Falls	
2 John E. Raker.....D.....	Alturas		ILLINOIS		
3 Charles F. Curry.....R.....	Sacramento		1 Martin B. Madden.....R.....	Chicago	
4 Julius Kahn.....R.....	San Francisco		2 Vacant		
5 Vacant			3 Elliott W. Sproul.....R.....	Chicago	
6 James H. MacLafferty..R.....	Oakland		4 John W. Rainey.....D.....	Chicago	
7 Henry E. Barbour.....R.....	Fresno		5 Adolph J. Sabath.....D.....	Chicago	
8 Arthur M. Free.....R.....	San Jose		6 James R. Buckley.....D.....	Chicago	
9 Walter F. Lineberger...R.....	Long Beach		7 M. Alfred Michaelson..R.....	Chicago	
10 Henry Z. Osborne.....R.....	Los Angeles		8 Stanley H. Kunz.....D.....	Chicago	
11 Philip D. Swing.....R.....	El Centro		9 Fred A. Britten.....R.....	Chicago	
COLORADO			10 Carl R. Chindblom.....R.....	Chicago	
1 William N. Valle.....R.....	Denver		11 Frank R. Reid.....R.....	Aurora	
2 Charles B. Timberlake..R.....	Sterling		12 Charles E. Fuller.....R.....	Belvidere	
3 Guy U. Hardy.....R.....	Canon City		13 John C. McKenzie.....R.....	Elizabeth	
4 Edward T. Taylor.....D.....	Glenwood Springs		14 William J. Graham.....R.....	Aledo	
CONNECTICUT			15 Edward J. King.....R.....	Galesburg	
1 E. Hart Fenn.....R.....	Wethersfield		16 William E. Hull.....R.....	Peoria	
2 Richard P. Freeman.....R.....	New London		17 Frank H. Funk.....R.....	Bloomington	
3 John Q. Tilson.....R.....	New Haven		18 William P. Holaday...R.....	Georgetown	
4 Schuyler Merritt.....R.....	Stamford		19 Allen F. Moore.....R.....	Monticello	
5 Patrick B. O'Sullivan..D.....	Derby		20 Henry T. Rainey.....D.....	Carrollton	
			21 J. Earle Major.....D.....	Hillsboro	

DIST. Representatives Politics P.O. Address
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7	W. C. Salmon.....	D.	Columbia
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| 17. | Washington, Oregon, Idaho, Montana, and Alaska | Carl Jackson | 411 Thompson Bldg., Seattle, Wash. |
| 18. | California, Nevada and Hawaii | W. W. Anderson | 410 Amer. Bank Bldg., Los Angeles, Calif. |

A Partial Bibliography of Present Day Literature on the Alcohol Question

(Including a few of the older standard works, and classified, as nearly as contents will permit, into: I, Physiological and Psychological; II, Economic; III, Sociological, including Legislative Aspects, Prohibition, etc.; IV, Historical and Miscellaneous; V, Year Books. A few of the books mentioned give only chapters or scattered paragraphs to the subject of alcohol, but these are valuable.)

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I. Physiological and Psychological

- Advisory Committee of British Board of Control. ALCOHOL: ITS ACTION IN THE HUMAN ORGANISM. 1918. \$60.
- Committee of Fifty. PHYSIOLOGICAL ASPECTS OF THE LIQUOR PROBLEM. 2 vols. Postpaid, \$4.85.
- Cutten, Geo. B. PSYCHOLOGY OF ALCOHOLISM. Postpaid, \$1.65.
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- Gordon, Ernest. THE ANTI-ALCOHOL MOVEMENT IN EUROPE.
- Gulick, Luther. CONTROL OF MIND AND BODY. 50c.
- Gulick, Luther. GOOD HEALTH. 55c.
- Gulick, Luther. THE BODY AT WORK. 65c.
- Gulick, Luther. HEALTH AND SAFETY. 60c.
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- Gustafson, Axel. THE FOUNDATIONS OF DEATH. Postpaid, \$1.65.
- Guyer, Michael F. BEING WELL BORN. \$1.00.
- Hutchinson, Woods, M. D. THE CHILD'S DAY. Reader or text book for children. 1921.
- Healy, William, M. D. THE INDIVIDUAL DELINQUENT. \$5.00.
- Horsley, Sir Victor, and Sturge, Mary D., M. D. ALCOHOL AND THE HUMAN BODY. Postpaid, 50c.
- Hughes, M. S. LOGIC OF PROHIBITION. 75c.
- Hunter, John A., M. D. ALCOHOL AND LIFE. 50c.
- Jacquet, Lucien. L'ALCOOL. French.
- Kelynack, T. N., M. D., Editor. THE DRINK PROBLEM OF TODAY. By Fourteen Medical Authorities. Postpaid, \$2.60.
- Miles, Walter R. THE EFFECT OF ALCOHOL ON PSYCHO-PHYSIOLOGICAL FUNCTIONS.
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- Patridge, G. E. STUDIES IN THE PSYCHOLOGY OF INTEMPERANCE. Postpaid, \$1.08.
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- Saleeby, Dr. C. W. THE WHOLE ARMOUR OF MAN. 1919. \$2.50.
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- Chapman, Ervin S., D.D., LL.D. PARTICEPS CRIMINIS. Postpaid, 75c.
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- Proceedings of 16th National Convention of Anti-Saloon League at Atlantic City, 1915. \$1.50.
- Proceedings of the Anti-Saloon League Convention at Indianapolis. 1916. \$1.00.
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V. Year Books

- Cherrington, Ernest H. ANTI-SALOON LEAGUE YEAR BOOK. Paper, \$1.00; Cloth, \$1.50.
 French National League Against Alcoholism. ALMANACH DE L' ETOILE BLEUE.
 Herold, Robert. ANNUAIRE ANTIALCOOLIQUE. (Swiss and International). \$.50.
 Honeyman, Tom. SCOTTISH TEMPERANCE ANNUAL. Paper, \$.25; Cloth, \$.50.
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trict, C. E. McDannald, Lockhart; Eleventh Congressional District, Rev. B. A. Hodges, Temple; Twelfth Congressional District, Judge W. Erskine Williams, Fort Worth; Thirteenth Congressional District, Senator Guinn Williams, Decatur; Fourteenth Congressional District, Rev. J. T. Curry, San Antonio; Fifteenth Congressional District, Rev. S. L. Batchelor, Kingsville; Sixteenth Congressional District, J. L. Campbell, El Paso; Seventeenth Congressional District, J. P. Sewell, Abilene; Eighteenth Congressional District, Judge R. Walker Hall, Amarillo.

The Vermont Anti-Saloon League.—State Headquarters, Room 10, 188 Main St., Burlington. PRESIDENT—Rev. C. G. Clarke, Ph. D., Springfield. VICE PRESIDENTS—Prin. Raymond McFarland, Saxtons River; Rev. W. S. Mulholland, Fair Haven; E. B. Jordan, Jericho. SECRETARY—A. S. Gallup, Burlington. TREASURER—Fred S. Pease, Burlington. AUDITOR—E. B. Metcalf, Burlington.

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STATE SUPERINTENDENT—Mr. Albert E. Laing, Room 10, 188 Main St., Burlington.

The Virginia Anti-Saloon League.—State Headquarters, Suite 234-236, Murphy's Hotel, Richmond. PRESIDENT—Dr. J. P. McConnell, East Radford. VICE PRESIDENTS—Rev. J. J. Scherer, Jr., Richmond; Mr. R. A. Schoolfield, Danville; Rev. W. C. Campbell, D. D., Roanoke; Mr. P. V. D. Conway, Fredericksburg; Ex-Gov. W. H. Mann, Petersburg; Hon. A. T. Lincoln, Marion; Mr. W. F. Hale, Nokesville; Mr. S. F. Rogers, Onancock; Mr. G. T. Foltz, Wytheville; Mr. M. O. Nelson, Danville; Mr. W. C. Ivey, Lynchburg; Rev. J. T. T. Hundley, Lynchburg. SECRETARY—Rev. J. W. Cammack, Richmond. TREASURER—Mr. S. P. Jones, Richmond.

HEADQUARTERS COMMITTEE—Bishop James Cannon, Jr., Richmond; Rev. David Hepburn, Richmond; Mr. J. W. Hough, Norfolk; Rev. Jno. G. Scott, Richmond; Rev. J. W. Cammack, Richmond; Dr. W. A. Christian, Blackstone; Rev. E. T. Dadmun, Norfolk; Dr. R. H. Pitt, Richmond; R. S. Barbour, South Boston.

STATE SUPERINTENDENT—Rev. David Hepburn, Suite 234-236 Murphy's Hotel, Richmond.

LEGISLATIVE COMMITTEE—Bishop James Cannon, Jr., Dr. R. H. Pitt, Mr. J. W. Hough, Rev. David Hepburn, Thos. Whitehead, Esq., Rev. J. S. Peters, Prof. C. T. Jordan.

The Washington Anti-Saloon League.—State Headquarters, 4119 Arcade Bldg., Seattle. PRESIDENT—Hon. Lester E. Kirkpatrick, 909 Third Ave., Seattle. VICE PRESIDENTS—Rev. E. M. Hill, Vancouver; E. S. Collins, Esq., Ostrander. SECRETARY—H. W. Foster, Esq., 302 Olympic Place, Seattle. TREASURER—C. H. Kiel, Esq., Central Bldg., Seattle.

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STATE SUPERINTENDENT—George D. Conger, 4119 Arcade Bldg., Seattle.

The West Virginia Anti-Saloon League.—State Headquarters, Room 208, Davidson Bldg., Charleston.

HEADQUARTERS COMMITTEE—Rev. C. B. Graham, Chairman; A. S. Thomas, Secretary; W. B. Wilkinson, Treasurer; John Davidson, Rev. Ernest Thompson, Fred O. Blue, W. C. B. Moore, C. R. Morgan, Rev. Leroy Dakin.

STATE SUPERINTENDENT—Rev. O. M. Pullen, 208 Davidson Bldg., Charleston.

MEMBERS NATIONAL BOARD OF DIRECTORS—Rev. L. C. Cunningham, Williamson; Rev. O. M. Pullen, Charleston.

Wisconsin Anti-Saloon League.—State Headquarters, 825 Goldsmith Bldg., Milwaukee. PRESIDENT—Rev. Samuel Plantz, D. D., Appleton. FIRST

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STATE SUPERINTENDENT—Rev. David L. McBride, 825 Goldsmith Bldg., Milwaukee. Assistants, J. I. Seder, B. N. Hicks, D. W. Hutton, O. L. Robinson, 825 Goldsmith Bldg., Milwaukee; N. C. Shirey, T. W. Gales, 28-29 Carroll Blk., Madison; E. E. Barker, Jr., 310 Y. M. C. A. Bldg., Eau Claire; D. P. French, 540 Alton St., Appleton; J. P. Koeller, R. D. 4, Box D, Oshkosh.

Wyoming Anti-Saloon League.—State Headquarters, 432-34 Citizens National Bank Bldg., Cheyenne, Wyoming. PRESIDENT—Rev. W. T. Dumm, D. D., Cheyenne. VICE PRESIDENTS—L. R. A. Condit, Barnum; Mrs. Annie Allison, Cheyenne; Mrs. R. A. Morton, Cheyenne; Hon. C. A. Myers, Knight. TREASURER—F. I. Furry, Cheyenne. SECRETARY—Merle Hanna, Cheyenne. AUDITOR—W. B. Ross, Cheyenne.

HEADQUARTERS COMMITTEE—Hon. Archie Allison, President, Cheyenne; Dr. F. I. Furry, Treasurer; Attorney W. B. Ross, Rev. W. T. Dumm, D. D., Hon. C. A. Myers, Hon. Earl Warren, Hon. L. R. A. Condit, Rev. J. M. Cromer, Attorney M. A. Kline.

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ADVISORY COMMITTEE—Hon. Archie Allison, Hon. W. B. Ross, Hon. H. B. Durham, Hon. Earl Warren, Dr. F. I. Furry, Rev. W. T. Dumm, Hon. M. A. Kline.

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Association, Rev. Ira Landrith, D. D.; Harry S. Warner. I. O. G. T., National Grand Lodge, Rev. Edwin C. Dinwiddie. Scientific Temperance Federation, Miss Cora F. Stoddard, B. A.; Prof. Irving Fisher, Ph. D. Southern Baptist Commission on Temperance and Social Service, Rev. A. J. Barton, D. D. Woman's Christian Temperance Union, Miss Anna A. Gordon, Mrs. Ella A. Boole, Mrs. Margaret Munns. Uruguay—Liga Nacional contra el Alcoholismo, Mme. C. de Salterain; Carrie van Domselaar. Wales—National Temperance Council, Lord Clwyd, Leonard Page. (Members of the Executive Committee are members ex officio of the Council.)

OBJECT OF THE WORLD LEAGUE AGAINST ALCOHOLISM—The object of this League is to attain, by the means of education and legislation, the total suppression throughout the world of alcoholism, which is the poisoning of body, germ-plasm, mind, conduct and society, produced by the consumption of alcoholic beverages. This League pledges itself to avoid affiliation with any political party as such, and to maintain an attitude of strict neutrality on all questions of public policy, not directly and immediately concerned with the traffic in alcoholic beverages.

World's Woman's Christian Temperance Union. **PRESIDENT**—Miss Anna A. Gordon, Rest Cottage, Evanston, Ill. **VICE-PRESIDENT**—Miss Dagmar Prior, 25 Kastelsvej, Copenhagen, Denmark. **HONORARY SECRETARIES**—Miss Agnes E. Slack, Caxton Buildings, Ripley, Derbyshire, England; Mrs. Blanche Read Johnston, 2 Slade Ave., Toronto, Canada. **HONORARY TREASURER**—Mrs. Ella A. Boole, 377 Parkside Ave., Brooklyn, N. Y.

The National Woman's Christian Temperance Union.—The National Woman's Christian Temperance Union is an organization of Christian women banded together for the protection of the home, the abolition of the liquor traffic, and the triumph of Christ's Golden Rule in custom and in law. It is the lineal descendant of the great Woman's Temperance Crusade of 1873-74. It was organized in Cleveland, Ohio, in 1874.

There are about 20,000 local unions, with a membership and following, including the young people's and children's societies, of practically a million persons. The organization includes 25 distinct departments, superintended by as many women experts, in the national and in most of the state organizations. The laws providing for Scientific Temperance Instruction in all public schools in the states and under the jurisdiction of the United States, were secured principally through the efforts of the Woman's Christian Temperance Union.

From the beginning the W. C. T. U. has advocated National Constitutional Prohibition, and in September, 1911, Mrs. L. M. N. Stevens, then its National President, issued a historic proclamation in which she affirmed that within a decade Prohibition should be written in the Constitution of the United States, and called "to active coöperation all temperance, Prohibition, religious and philanthropic bodies; all patriotic, fraternal and civic associations, and all Americans who love their country."

Because of its perfect system of organization, enabling it to reach not only the centers of population but the remotest sections of our country with its educational propaganda and the active personal work of its members, the W. C. T. U. has been one of the principal factors in bringing about the vast change in public sentiment regarding the use and sale of alcoholic liquors, and has been a leader in campaigns for local, state and National Prohibition. The organization has gathered and presented to the United States Congress petitions for National Constitutional Prohibition representing over 12,000,000 people.

In March, 1918, the president, Anna A. Gordon, presented to Woodrow Wilson, President of the United States, a petition representing six million patriotic American women praying for the prohibition of the drink traffic during the period of the war. This was called the patriotic Win-the-War Petition and is the greatest petition that has ever been presented to the chief executive of any country.

The headquarters of the National Woman's Christian Temperance Union are located at Evanston, Ill., under the same roof with Rest Cottage, formerly the home of Frances E. Willard. A substantial office building has been erected, and from this center go out not only the publications and supplies of the vari-

ous departments, but vast quantities of general temperance and campaign literature. The National Woman's Christian Temperance Union owns and publishes its official organ, The Union Signal; also the Young Crusader, a monthly paper for children. Nearly all its state organizations publish a state paper also.

The National Woman's Christian Temperance Union also maintains legislative headquarters in the Bliss Bldg., Washington, D. C.

NATIONAL OFFICERS—President, Miss Anna A. Gordon, Evanston, Ill.; Vice President-at-Large, Mrs. Ella A. Boole, 377 Parkside Ave., Brooklyn, N. Y.; Corresponding Secretary, Mrs. Frances P. Parks, Evanston, Ill.; Recording Secretary, Mrs. Elizabeth Preston Anderson, Fargo, N. D.; Assistant Recording Secretary, Mrs. Sara H. Hoge, Lincoln, Va.; Treasurer, Mrs. Margaret C. Munns, Evanston, Ill.

EDITORS—Managing Editor Union Signal, Miss Julia F. Deane, Evanston, Ill.; Managing Editor Young Crusader, Miss Windsor, Grow, Evanston, Ill.

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The International Congress Against Alcoholism. PERMANENT INTERNATIONAL COMMITTEE—Dr. Alph. Ariens, Maarssen bei Utrecht; Mad. Bauda Lamy, Paris; Dir. E. Beckman, Stockholm; Prof. Dr. J. Bergman, Stockholm; E. H. Cherrington, Westerville, Ohio, U. S. A.; Pastor N. Dahlhoff, Copenhagen; Dr. Danitz, Belgrade, Servia; Dr. Adolph Daum, Vienna; Dr. A. Delbrueck, Hemelingen bei Bremen; Rev. E. C. Dinwiddie, Washington, D. C.; The Hon. Mrs. Eliot Yorke, London; Dr. A. Filipetti, Milan; Dr. Aug. Forel, Yvorne; Dr. Richard Froelich, Neustadt bei Wien; Prof. I. Gonsser, Berlin; Miss Charlotte A. Gray, London; Franziskus Hahnel, Leipzig; Dr. Helenius Seppala, Helsingfors; Dr. R. Hercod, Lausanne; Fraulein Otilie Hoffman, Bremen; Dr. Knut Kjellberg, Stockholm; Dr. Legrain, Paris; Very Rev. J. W. Leigh, D. D., Dean of Hereford; Dr. Ley, Brussels; Prof. Luzzatti, Rome; Dr. P. Ming, Sarnen; Dr. Mendelssohn, Petrograd; Dr. Alex von Naray-Szabo, Budapest; Theodore Neild, Leominster; Rt. Rev. P. J. O'Callaghan, Washington, D. C.; Baron Wladimir von Prazak, Vienna; Dr. Radziszewski, Wloclawek, Warschau; John Turner Rae, London; F. Riemain, Paris; Rev. Giovanni Rochat, Isla D'Elba; Jhr. Ch. J. M. Ruijs de Beerenbrouck, Maastricht; Dr. W. P. Ruijsch, 'S-Gravenhage; Dr. Scharfenberg, Christiana; Dr. K. H. G. von Scheele, M. R., Bishop von Gothland, Visby; Dr. J. R. Slotemaker de Bruine, Utrecht; Dr. Ph. Stein, Budapest; Dr. von Strauss und Torney, Berlin; Dr. de Vacleroy, Brussels; Dr. R. Vogt, Gaustadt bei Christiana; Charles Wakekly, London; Ed. Wavrinsky, Stockholm; Arie H. Willemse, Utrecht; Dr. Wlassak, Vienna; Dr. Zia Bey, 'S-Gravenhage.

Prior to the war these International Congresses had been held in Europe every two years, the Fourteenth Congress having been held at Milan, Italy, in 1913. At the Milan Congress the Permanent International Committee accepted the invitation of the American delegation and later the invitation of the United States government to hold the Fifteenth International Congress Against Alcoholism in the United States of America. Congress made an appropriation of \$60,000 for the entertainment of this Congress and directed that it be held under the direction of the Secretary of State. The Secretary of State in turn appointed an Executive Committee to have in charge the work of the Congress to be held in Washington, D. C., in September, 1920.

OFFICIAL DELEGATION REPRESENTING THE UNITED STATES OF AMERICA AT THE THIRTEENTH INTERNATIONAL CONGRESS AGAINST ALCOHOLISM, HELD AT THE HAGUE, HOLLAND, SEPTEMBER 11-16, 1911—E. C. Dinwiddie, Washington, D. C.; Ernest H. Cherrington, Westerville, Ohio; S. E. Nicholson, Washington, D. C.; Maynard N. Clements, Albany, N. Y.; William J. Pollard, St. Louis, Mo.; Charles Scanlon, Pittsburgh, Pa.; Mrs. Lillian M. N. Stevens, Portland, Maine; Miss Edith Smith Davis, Milwaukee, Wis; Dr. V. A. Ellsworth, Boston, Mass.; Peter J. O'Callaghan, Chicago, Ill.; James K. Shields, Chicago, Ill.; P. J. Lennox, Washington, D. C.

OFFICIAL DELEGATION REPRESENTING THE UNITED STATES OF AMERICA AT THE FOURTEENTH INTERNATIONAL CONGRESS AGAINST ALCOHOLISM HELD AT MILAN, ITALY, SEPTEMBER 22-27, 1913—Rev. E. C. Dinwiddie, Washington, D. C.; Hon. George F. Cotterill, Seattle, Wash.; Ernest H. Cherrington, Westerville, Ohio; Rev. Rufus W. Miller, D. D., Philadelphia, Pa.; Rev. Father P. J. O'Callaghan, Chicago, Ill.; Mrs. Suessa B. Blaine, Washington, D. C.; Rev. A. J. Barton, Waco, Texas; Rev. James Cannon, Jr., D. D., Richmond, Va.; Prof. Charles Scanlon, Pittsburgh, Pa.; Hon. Edwin Mulready, Boston, Mass.; H. T. Laughbaum, Oklahoma City, Okla.; Mrs. Mary Harris Armour, Crawfordville, Ga.

OFFICIAL DELEGATION REPRESENTING THE UNITED STATES OF AMERICA AT THE FIFTEENTH INTERNATIONAL CONGRESS AGAINST ALCOHOLISM, HELD AT WASHINGTON, D. C., SEPTEMBER 21-27, 1920—Hon. Alben W. Barkley, Paducah, Ky.; Rev. Fr. J. G. Beane, Pittsburgh, Pa.; Col. P. H. Callahan, Louisville, Ky.; Hon. S. D. Fess, Washington, D. C.; Miss Anna A. Gordon, Evanston, Ill.; Dr. H. O. Kelly, Baltimore, Md.; Senator William S. Kenyon, Washington, D. C.; Governor Carl E. Milliken, Augusta, Maine; Doctor Howard H. Rus-

sell, Westerville, Ohio; Miss Cora Frances Stoddard, Boston, Mass.; Mrs. Lenna Lowe Yost, Washington, D. C.

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Next session, 1923; place not selected.

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Next session, 1923.

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The order of the Sons of Temperance was organized in the city of New York, September 29, 1842. It is composed of subordinate, grand and national divisions. It has five national divisions—one for North America, one for Great Britain and Ireland, two for Australia and one for New Zealand. It has been

introduced in India and South Africa. In the course of its existence it has had nearly 4,000,000 members on its rolls. Its present membership in North America is 15,000, located in the eastern part of the United States and Canada. Its membership in Great Britain is 400,000; in Australia and New Zealand is about 30,000. Its fundamental principle is total abstinence from all intoxicating liquors and Prohibition for the state and nation. It is the first organization that advocated Prohibition by constitutional amendment, which it undertook to do in 1857.

The election of officers is biennial. Seventy-eighth Session, Sydney, Nova Scotia, July 19, 1922.

World Student Federation Against Alcoholism.—President, Dr. Courtenay C. Weeks, 34 Paternoster Row, London E. C., England; Secretary, Mr. Onno van der Veen, University of Leiden, Leiden, Holland; Treasurer and International Secretary, Harry S. Warner, Suite 910, 14 West Washington St., Chicago, Ill., U. S. A. Additional Members Executive Committee—Sigfrid Borgstrom, Stockholm, Sweden; Robert Joos, Shaffhausen, Switzerland.

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National Temperance Society.—Room 51, 289 Fourth Ave., New York City. Charles Scanlon, LL. D., President. Alfred R. Kimball, Secretary. Henry M. Randall, Treasurer.

The National Temperance Society was established in 1865.

The following periodicals covering temperance interests are published: The National Advocate, The Youth's Temperance Banner, The Water Lily.

National Conference of Social Work.—The National Conference of Social Work meets annually. The forty-ninth annual meeting, June 22-29, 1922, will be held at Providence, Rhode Island. President, Robert W. Kelso, 46 Cornhill, Boston, Mass.; First Vice President, Sherman C. Kingsley; Second Vice President, Martha P. Falconer; Third Vice President, Gertrude Vaile; General Secretary, Wm. Hammond Parker, 25 E. Ninth St., Cincinnati, Ohio; Treasurer, Charles W. Folds, Chicago.

The Conference publishes annually a volume of Proceedings covering the addresses delivered during the week of the annual meetings; price for 1921, \$3.

Five membership classifications: Regular without Proceedings, \$3.00; Regular with Proceedings, \$5.00; Sustaining, \$10.00; Institutional, \$25.00; Contributing (for individuals) \$25.00.

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The Commission works in coöperation with the National Temperance Society and the World Prohibition Federation, and the joint bodies publish the National Temperance Advocate, the Water Lily and the Youth's Temperance Banner.

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The Society publishes "TEMPERANCE," a monthly magazine, and other literature.

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